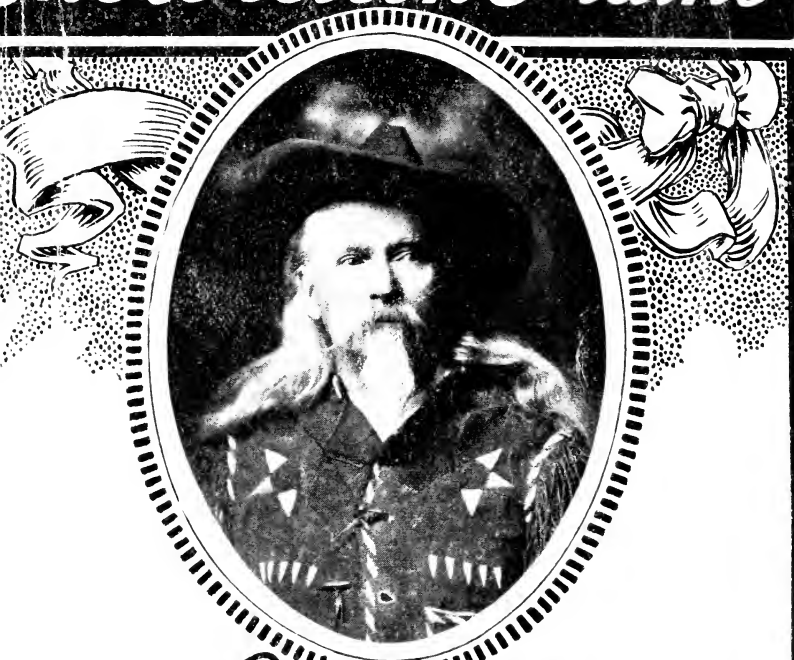


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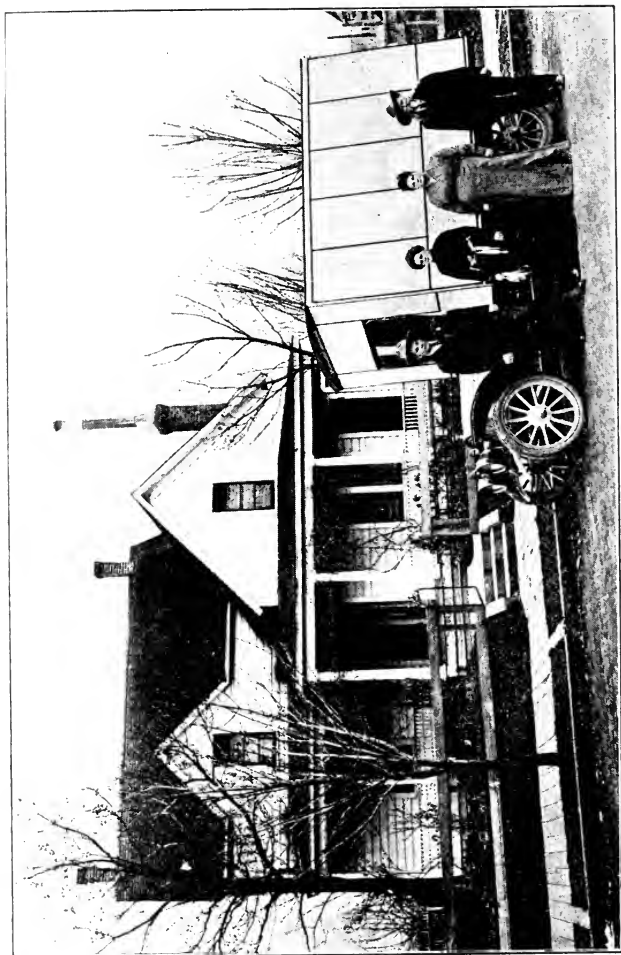
The Establishment of Law and Order on The Western Plains



Wm De Veny

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AUTHOR AND PUBLISHER
PORTLAND, OREGON.

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My home in Oregon and the machine I started out with.

The Establishment of Law and Order on Western Plains



By WILLIAM DE VENY
Portland, Oregon
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PREFACE.

When I began to write this little book I did so with the intention of having about one hundred copies printed to be used by my family and myself for gifts to a few personal friends. As the book grew and I went over the old scenes with my wife and children we began to feel a tingling in our veins—the return of the wanderlust fever. As the weeks lengthened into months and the springtime came on, a time of year when the great outdoors calls to us one and all, my wife said to me one day, “Let’s go.”

Up to that time I had said nothing to any member of the family about “going,” none of them had said anything to me; and yet I soon found that we had all been laying plans towards again taking to the road. Yes, the old fever of wanderlust, handed down from our forefathers, is not to be kept down by such sordid things as business and convenience.

Had we been less fortunately situated here in Oregon I might not be about to start upon the trip we have planned. But a kind

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providence has guided all of our actions since we came to Portland on a beautiful June day in 1893, when the roses were in bloom and the whole city looked to us like a fairyland. I thought that day that it was the most beautiful place I had ever seen; I now know it is not only such but one of the loveliest cities in this country. When my family and myself arrived here twenty-two years ago the city had a population of 46,000 people; at the time this book is going to press we have almost 300,000. In June, 1893, the state of Oregon contained 317,000 people; now we have 750,000.

I have resided in many places in many states, as a perusal of this book will show, but this Oregon country beats any place I ever saw. I do not say this simply because my family and I have here accumulated a goodly share of worldly goods since we came here—I say it because I see on every hand people who came here a few years ago with nothing in the way of capital and are today independent.

I am now speaking of Oregon as a whole; and Oregon is an empire in extent. It is twice as large as the state of New York, twelve times as large as Massachusetts and 88 times as large as Rhode Island. We have one county, Harney, which has practically the same area as the two latter states combined. For the size of the state

our population is very small, but it must be remembered that the great Mississippi and Missouri valleys, the eastern slope of the Rocky Mountains and the fine states of Montana, Utah and Idaho to the east of us, and the states of Arizona and New Mexico to the south-east, have been calling as loudly for settlers as have we. Then California, bordering us on the south, and Washington on the north—those two states have been fortunate in being cobwebbed with railroads and have taken population that would have normally come to Oregon.

Remember I came here the year prior to the 1894 panic. For the three following years Portland, like the balance of the country, practically stood still. So I began here under very unfavorable auspices; one can come here now and start in almost any sort of business or take part in any occupation suitable and do better than I have done in the same length of time. From all over the state the cry comes for more people on the land, and it is people to go on the land that we hope for from the crowded states of the East.

If Oregon was populated as densely as New York we would have 18,250,000 souls in our state; if we had as many people to the square miles as Massachusetts has we would have a population of 40,000,000! And with the population of 509 per square

mile that Rhode Island has we would have 48,385,896 inhabitants! Just think of it! And our soil is capable of maintaining five people where the Massachusetts or Rhode Island soil would not sustain more than one! Why, dear reader, there is no such land, no such seasons for crop growing east of the Rockies as in Oregon. Our Willamette Valley alone will one day produce more crop values each year than all of New England and New York combined.

Oregon ought to be and will some day be the wealthiest state per capita in the Union. We have more latent advantages than the Middle West. We have one river that could furnish more power than all of the streams in New England and the Southern states combined. This is the Deschutes, which flows into the mighty Columbia, the grandest river in the United States. We have seven rivers about the size of the Hudson River that rise in our state and discharge their waters either into the Columbia or the Pacific Ocean, not a drop of the water arising in nor passing into another state.

We raise the finest fruit in the world—and our growers have taught the apple growers of the United States how to plant, cultivate and prune orchards and how to grade and pack the fruit. Our Spitzenberg, Newtown Pippins and many other

varieties of apples are sold in every civilized nation on earth, and bring the highest prices. For dairying Oregon offers better inducements than any other part of the country, for we have green feed, all-winter pasture, for our herds in over half of the state. That is why two of the largest milk condenseries in the world have within recent years, one of which is now doubling its capacity, located here.

We have more different kinds of climate than any other state. We have snow capped mountains where the thermometer may register 25 below zero in June; a short walk down will bring you to as lovely roses as were ever plucked; down a little farther you will find the temperature in the 80's. We have places where the rainfall reaches as high as 100 inches a year—and in those neighborhoods are our most prosperous dairies, in many of which the cows each net their owners \$125 per year. Then in the irrigated sections there are places where the precipitation sometimes falls as low as six inches per annum; but with irrigation the landowners there get from three to five cuttings of alfalfa a year, and these arid sections are now becoming famous for all sorts of small fruits, as well as for all animal industries and dairying.

All over the state there are openings for the intelligent, the thrifty, the honest

and the industrious man or woman who wants a home, and particularly the married man or woman who is looking for a place to educate the little ones. For we have one of the finest school systems in the country. And the whole state is dotted over with churches, every demonination being represented in almost every county.

When I think of these things, and think of what I am about to do—pack up with a part of my family and leave—I wonder what sort of a creature I am, and hark back to my great-grandfather Pierre as he tramped towards France from Poland through the snows with the remnants of Napoleon's army and imagine that there was some sort of an attraction in that journey that left its virus in his veins, to be handed down to his descendants.

But I am not leaving here for good. No, I never will forsake Oregon. I am leaving my property behind and two of my children to run our business and look after our affairs until our return. Soon my wife, our daughter Estella and our son Dewain, together with your humble servant will hit the trail for a journey of several thousand miles to cover a period of several months.

Perhaps on this trip we can do some good for our adopted state, our dear Oregon, by inducing now and then a settler to

come and become one of us. Which would not only benefit Oregon but the persons that came to join us. The time to come is right now, while land values are low and opportunities great.

Very truly,

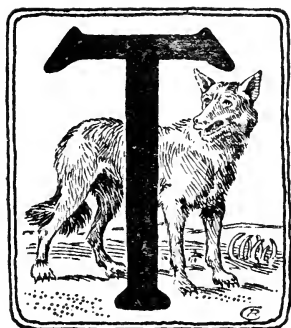
Willian Deveney.

150 East 80th St. North,

Portland, Oregon.

April, 1915.

CHAPTER I.



HIS book might better, perhaps, have been given the title of "A Child of the Wanderlust," for it deals with my life, which has been an eventful one from the time I was fifteen years of age up to the present; and I intend that it

shall so continue for I expect to die with my boots on. I came naturally by my nomadic traits, I inherited them from my forefathers and no doubt the actions of those known to me were but a repetition of the acts of their forefathers.

In tracing my genealogy back through my ancestors I have never been able to go farther than the rise of Napoleon, owing principally to the difference in names. For I find that the cognomens Deveney, Devin-

ny, Devinne, Devney and DeVeney, as well as Devenny and even de Veney, are practically interchangeable and signify the one family. Just which is the proper name I do not know further than that we read there were three brothers of the name of DeVeney with Napoleon in his campaign against Russia. One of these was an officer of the line and must have been rather close to the Little Corporal for I find that on the retreat from Moscow, when the Napoleonic sun was setting, one Pierre DeVeney was decorated with the cross of the Legion of Honor and his two brothers mentioned for bravery on that terrible march, which cost Napoleon almost five-sixths of his army.

This Pierre DeVeney later went to Flanders and while there the change in spelling of his name to Deveney occurred, perhaps by design, perhaps by accident. But I have been able to find that he was an honorable man who was somewhat of a rover, for later he went to England and finally to Scotland, where he was married to an old sweetheart from his beloved France, for that he was a native of France and that his birth occurred in the year of 1768, I have been able to trace beyond a doubt. As to the younger brothers of Pierre who were with him on the retreat, I have been unable to discover what became

of them; that they and my paternal ancestor parted company soon after the return of the Legion seems undoubtedly true.

This Pierre Deveney was my great-grandfather. He was not married until late in life and died in Pennsylvania in 1828, having come to this country soon after his marriage. My grandfather and father were born in Pennsylvania, the latter in 1818. My father was married in that state in 1845. Soon after his marriage he removed to Henry County, Illinois, where I was born on December 18, 1852.

In reading of my ancestors I find that, while they were not great men, they always stood on the side of law and order and never were in any sort of trouble arising from disobeying the laws of the land where they resided. That they never accumulated any great amount of property is true, perhaps for the reason that they never remained long enough in one place to do so; and yet they were far from paupers and probably enjoyed life more than many of their neighbors who had more money.

I was unfortunate enough to lose my mother when I was only nine years old. Up to that time I had been happier than the usual run of children for my mother was a woman of great charm and I was like the apple of her eye. I had three brothers and one sister and after the death of my

mother my father found it difficult to manage the family, so a year or so after her death he married a widow who had quite a family of children.

I am not going to say a word against my stepmother for the chances are that the reason I did not get along with her was due as much or more to me than to her. But I remember very distinctly that we did not get along peaceably and that before I was ten years old I was sent out to sort of hustle for myself. But I must not permit myself to pass over this period of my life without saying something more about my mother, who was, I have always felt sure, the sweetest, dearest, most patient and charming woman on earth. Even though I was only nine years old when she died it seems now, as I look back, that I must have been a good deal of a man, at least in her eyes, for I remember very distinctly how she would very often take me in her arms, cuddle up on a sofa or in a chair, and talk to me like a sister or a dear friend and advise with me as to my future and tell me how it would not only be the best and wisest thing to always be honorable and truthful but it would bring me the most happiness. And when I was put in my little crib at night and the bedding tucked in around me, and after my little prayer was said, she would kiss me and call me mother's little man

and say she knew I was going to be a great comfort to her all of her life. At such times I remember we both shed many tears, tears which I believe cleansed both of our hearts.

My stepmother was, no doubt, a very good woman and wanted to do her whole duty to my father and his children, but having children of her own, whom she loved perhaps as my own mother loved me, she found it difficult, even impossible to treat us all on an equality. At least it seemed so to me and my home life became unbearable, boy that I was, and I left home for good and all. I tell you it is a terrible thing for a boy or girl to lose his or her mother. I suppose it is worse for a girl than a boy, but it is the greatest blow that can befall either. Many boys and girls do not realize this fact and do not treat their mothers as they ought to be treated. I can only say to such young people that for every harsh or cruel or unkind word a boy or girl says to his or her mother there is a day of reckoning coming and a punishment will surely be meted out to pay for it. It may not come for many years, it may not be recognized when it does come; but just as sure as there is a God in Heaven the First Commandment means as much if not more than any of the other nine and the first six words of that commandment are

Honor thy father and thy mother. While the commandment must be taken as it stands, meaning that both parents must be honored, it has seemed to me that the honoring of the mother is of more importance than obeying the father, not, of course, recognizing any cause save absolute dishonor for swerving one iota from the whole commandment.

A boy without a father to guide him is like a ship without a captain; a boy without a mother to love, counsel and advise him is like a ship without a rudder. And I surely have seen this exemplified many, many times during my life and in my own case it was literally true. Young as I was when my mother died I know now that I became a changed boy almost at once, certainly as soon as my new mother, as I was told she was to be to me, made her appearance in our home. Assuredly some step-mothers have the faculty of taking their step-children right to their hearts and making them feel that the real mother's place is to be completely taken and the measure of the real mother's love to be more than filled. Yes, there are such women, God bless them. I have seen them, have known them, and if there is a chosen spot in heaven reserved for the best beloved of Jehovah then surely many of these proxy mothers will sit there close to the Savior.

When I left home I went to work doing chores for my keep and schooling with a farmer by the name of Morse, and remained with him until I was nearly twelve years old; then the real wanderlust struck me and I began my Nomadic career which lasted—we will see later how long. From the time I was twelve until I was nineteen years old I had almost as many occupations as I lived months. I was some of the time working on a farm for my “board and keep” and a little schooling during the winter. Then I went with a circus and did about everything that a lad of my age could do. This was a rough life among rough people, a life that every young fellow should try and steer clear of. From the circus and its side show I drifted into a minstrel company, a set of barnstormers, and this was about on a par with the circus. With both of these companies I filled about every position that a boy could be expected to fill, aside from being a professional performer.

Let me say right here that in this career, which lasted seven years, and carried me all through the eastern, southern and middle western states, I kept honest and sober. And those good habits kept me from getting into trouble, with also the remembrance of the teachings of my mother. But even with her words ringing in my ears, and with all the stamina I possessed,

I am sure I never could have kept myself as morally clean as I did had I not from the very first fought shy of evil companions. In all of my life I have made it a rule to "flock by myself" unless I could find good company to flock with. One boy, one young man, one man of scarcely any age, very rarely commits a crime entirely unaided; nine times out of ten the start in crime is made jointly by one or two young fellows aided by an evil companion who started his career in the same way. I always knew this I guess. Perhaps my mother taught it to me, surely she taught me the principles that led to my resolve.

Hundreds, perhaps thousands, of times when I was wandering over the country, often not well clothed or well fed, many times hungry and footsore, the temptation has been strong to join with others in some alluring enterprise by which we could make a "bundle" of "easy money." But the ways to this "easy money" I always found were very crooked, and I wanted to keep straight. When I was very young, at my mother's knee perhaps, I had this thought, founded upon some words from Epictetus, impressed upon me, never to be forgotten: "When a thing is straight it is straight; there are no degrees of straightness; but a thing can be crooked in as many ways as there are stars in the heavens."

So I always resolved that I would be straight and to best keep myself so I knew the easiest way was to associate with straight people. Or, to take the matter up from the other angle, I knew, I seem always to have known, that the surest and quickest way to get crooked was to associate with those who either were themselves crooked or were associating with others who were. And I have kept straight. It has well paid me, so well that I would say to all boys and young men that nothing in the world pays as big interest or as heavy dividends as being straight.

CHAPTER II

When I had reached my nineteenth year, which was six years after the close of the civil war, or about 1871, I found myself back in the neighborhood of my old home. One of my uncles and his family were contemplating a removal to central Nebraska, there being then quite an exodus going on from the valleys of the Ohio, Mississippi and even the Missouri, to the plains states, such as Kansas, Nebraska, Wyoming and eastern Colorado. So I decided to go with my uncle's outfit. But affairs turn out different in this world from what we expect, and a word lightly spoken by one of my cousins caused me to change my plans and strike out by myself.

I bought a ticket over the Union Pacific railroad to Omaha, where I had to change cars to get to the new town of Hastings, in Adams County. I went to a hotel and asked for a room for the night. I was sent to one with three beds in it. I objected and asked for a single room, but none was vacant, the landlord saying he more than likely would not have to put anybody in with me. Anyhow I thought I was pretty well fixed for any wild west troubles that might come up, having a terrible weapon of defense and offense in the shape of a .22, which I carefully loaded and placed under my pillow. I soon dropped off to sleep and was in the throes of a terrible dream. I thought I was on a field of battle awaiting a terrific onslaught from the enemy which was sure to come off the next day. So I was taking a little rest trying to sleep on the ground with a cannon under my head as a pillow—when I awoke with a start to find myself grasping my .22 and the landlord ushering in two strangers, both of them pretty full of booze. As soon as the landlord left they began to undress, meantime talking about some terrible shooting scrape they had been mixed up in that night. I was taking it all in and wondering what they had been shooting with when presently each one of them unbuckled a belt from about his waist and in each belt

were two .45's which compared with my .22 about as a war ship of the Dreadnaught class compares with a Missouri River cat-fish boat.

Say! I immediately lost confidence in that .22 and in myself and a cold sweat broke out all over me. I was sure I was to be murdered before morning. But nothing happened, the greatest disturbance coming from the beating of my heart which was making so much noise I was sure it would awaken everybody in the hotel. After awhile both of the strangers fell asleep and pretty soon I got up as quietly as a mouse, dressed myself full as quietly, and was soon out on the street with my gripsack—and my .22, in which I had lost all confidence.

I tell of this event not because it was anything out of the ordinary in any way whatever but just to show how awful, awful green I was. I had come from a neighborhood where only the very toughest rowdies carried a "gun" as we called the little .22s like the one I had. I surely never thought of carrying one or even owning one. But when I started for the "wild and woolly west," where it was supposed by my neighbors every man went armed to the teeth, why I just had to have a "gun" for the protection of my life and property. So after much cogitation and shopping I

bought a second hand .22, and two boxes of cartridges. I tell you the first time I loaded that weapon, placed it in my hip pocket and went out on the street, laying myself liable to arrest at any moment of the day or night for carrying concealed weapons—I can tell you I felt like a bad, bad man. I remember as I walked along the streets and passed now and then an officer how I laughed to myself to think what a chump he was, how little he knew—and wondered what he would think if I'd unlimber my gun and commence shooting up the town. And sometimes, as I felt back in the pocket to see if the precious gun was safe, I felt that I just must begin shooting at something just to show the people of the town what a bad, bad man they had among them.

This story will be read no doubt by many young men who are just about as green as I was and who are “packing a gun” as the saying is, most likely an innocent little .22. Let me say to any who are committing such folly that the idea of keeping out of trouble by carrying a shooting iron of any caliber is all nonsense. Revolvers have caused more trouble to those who owned them than to anyone else. You can take it from me, and I have been in many a tight place in my life, that the less you have to do with pistols of all descriptions the better.

Leaving Omaha I made my way to the little town of Hastings, on the Burlington railroad. It was a typical western frontier "city," consisting of a sort of hotel, a post office, blacksmith shop, "store" and three or four saloons. Like every other place along the road Hastings was a "city of destiny," bound to become a metropolis within a very few months. Speculators were busy staking off town lots and selling them, with a sort of guarantee, but not quite a legal one, that for every dollar invested the purchaser would receive anywhere from one hundred to five hundred within thirty days, three months at the farthest.

I remained in Hastings, doing such odd jobs as I could find to do, until my uncle and his family arrived. After looking over various sections near by my uncle took a homestead on the Little Blue river. I was not old enough to take up government land, so I alternately visited and worked until the following spring when I went into the locating business, the inrush of settlers being considerable. I had learned much about the country during my short stay and made pretty good money from the start, and as soon as I was old enough took up a claim of 160 acres on Crooked Creek, in the same neighborhood. About this time I met a gentleman who had a recipe for a

corn remedy and I began experimenting with it the result that I soon became more expert chiropody than anybody in those parts. Then I began to take trips to Omaha, St. Joe and other cities nearby, meantime going on with my experiments as a chiropodist, an occupation I now determined to follow and a profession in which I made up my mind to excel all others.

I visited laboratories, consulted chemists and physicians, studied anatomy and medicine, put in practically all of my time for two years endeavoring to formulate a way of removing corns instantly, painlessly and permanently.

I must digress here for a few paragraphs to show that in my labors in my profession I have met with greater success than any person I know of, and my two daughters, a son and myself have built up the largest business in our line in the West. Our offices are in the Gerlinger Building, in Portland, Oregon, where we have an elegant suite of rooms, which are practically filled by patients from nine o'clock in the morning until six o'clock at night, and in addition I fill an average of twenty outside appointments every day.

For several years I alternately worked at my profession, traveling around among the cities of Nebraska, Missouri, Kansas and Iowa, and living on my homestead. In

the late fall of 1878, when I was 26 years of age, I was married to Miss Martha R. Ellis, who had come to Nebraska a few years before with her parents from Illinois. They had settled in Clay County, Nebraska, where Martha had taken up a homestead close to that of her parents. To get the marriage license I had either to make a trip of 25 miles to the county seat of Clay County, or of ten miles to Hastings; but having secured the license in Clay County it was a long distance to get to the preacher's. So Martha agreed to meet me on the county line where I had the preacher and some witnesses. Although the day was bitterly cold, the thermometer standing 20 degrees below zero, Martha met me as per arrangement and choosing a place alongside the road just inside the line of Adams County we were married, the minister cutting the ceremony mighty short owing to the extreme cold.

Some time before this I had begun to take a good deal of interest in the political doings of our county and was pretty well informed on county affairs. Juniatta was the county seat, had been since the organization of the county years before, long before the advent of the railroads. Now Hastings had grown to be a much larger place than the old county seat and the voters became mixed up in a fight as to the

removal of the capital from Juniatta to Hastings, and this had been going on in a mild form for five or six years. We thought we were having a jim dandy of a scrap and that we were something fierce as fighters, while we were willing to admit that the Juniattans were no amateurs at the game.

The only real trouble we had, and the loss in that was merely a black eye, occurred at the final election. We sent a committee of six citizens from Hastings to watch the Juniatta polls during the election, and they had a like committee at our polling place. All went well until the ballots were being counted when a little breeze of a row was started over a disputed ballot and our committeemen were hauled bodily out into the street, during which fracas one of our boys was knocked down and his eye discolored.

Then, according to agreement, a blind telegram was sent us to "ship six carloads of corn to Carney, Nebraska." We understood and soon had loaded up six wagonloads of citizens and they made the six miles to Juniatta in a hurry. We were then in such force that we could command and enforce a square deal, which we got without any serious trouble.

Among our adversaries in this fight was Senator James Laird, who for several

years was one of the leading citizens of Nebraska. While he was usually called senator he never succeeded in being elected to the upper house of Congress. He did, however, serve three full terms in the House of Representatives, and died, in 1889, while serving his fourth term. At the conclusion of the counting of the ballots in the county seat contest a number of the citizens of Hastings "induced" Senator Laird to come over to our town and make a speech. Upon his arrival we started a huge bonfire, put the senator upon a large goods box and he whooped it up for Hastings, of which city he soon became a citizen and resided there until his death.

At about the same time as our Juniata-Hastings fight there was also going on a scrap in Clay County, the contesting towns being Clay Center and Sutton. The latter town was situated away off on one side of the county while Clay Center was, as the name indicates, in the geographical center of the county. So there was not much to this fight save speechifying and fireworks. There was no blood shed, not even as much as a black eye, on either side.

While I was more or less mixed up in both of these fights, and took a particularly active part on the side of Hastings, because my interests centered there, but I did not enter fully into the hilarity of the affairs.

I suppose they were so tame that my fighting blood was not fully aroused. I certainly did not realize that in the near future I was to enter into contests of the kind where the weapons would be something more than wind and the damage a great deal more than a black eye. But such turned out to be the case, although I never acted save on the side of law and order.

And as this book will deal largely with county seat contests it may be well to say before going further that a county seat fight is about the strangest sort of a scrap that can be imagined. In the first place such a contest as a rule works up more ill will, destroys more friendships, makes more enemies, breaks up more families and produces more pure cussedness than any other sort of a political contest ever fought.

As a rule the stake is next to nothing. I have known of contests being waged with the greatest bitterness where there was not over 800 people involved and where the taxable property in the entire county did not amount to \$10,000. So it can be seen that there would not, legitimately, be taxes enough collected to pay the collection fees, while for the salaries of the officials there would be nothing in sight, surely nothing worth fighting over.

It is true there might be certain sales

of town lots in the town fortunate enough to win the contest. But as a rule the owners of the townsite had to put up more money to carry on the fight than the lots would sell for after the affair was settled. That is in the winning town; in the losing town there would be no value whatever to the lots. Of course I am speaking now of the original scraps among towns in newly organized counties. Once in a while we hear of a county seat contest in an old settled county, perhaps where one town has held the court house as an asset for a generation or more. Then by some freak of changing conditions another and perhaps a larger town springs up and an effort is made to remove the county seat. Perhaps such contests get into the courts and out again, receive legislative action, are fought over and over.

I might call attention to a contest that has come up periodically every ten or a dozen years for almost a century; to another where for half that time the court house might just as well have been on wheels, so uncertain was its tenure. These scraps of course create and foster feuds, lead to almost endless litigation and cause financial disaster to many people. But it must be remembered that in these scraps there is a stake considered worth scrap-ping over, the towns in the cases I have

mentioned having each a population of several thousand people. One can understand why in cases of that kind every argument and every legal tangle should be resorted to. But where there is nothing but the name at stake one is at a loss to understand why men become in many cases thieves, outlaws and murderers, as has often been the case under my observation, simply for the "honor" of making a certain town the county seat.

CHAPTER III

During the closing years of the Clay County fight I had been taking instructions from my wife in the art of photography, she being an expert in all branches of that business. We established a gallery at a little town called Glenville, in Clay County, not far from my wife's claim, where we had built up quite a nice business. I had acquired an interest in property in Arkansas and soon after the county seat matter was settled I went down there to look the matter over. I was very much taken with the mild climate of that state and upon my return I induced my wife to agree to a move. In the meantime our oldest child, Maude, was born in the little sod house on my wife's claim.

As soon as we succeeded in finding good renters for our claims we fitted up a

wagon as a photograph gallery and traveling conveyance and with our household goods and our little daughter we journeyed to the southland. I wish I could set forth fully and understandingly to the reader the delights of this trip. But no person who has not fared forth, young, contented, care-free, with a good outfit, enough property and income in the old home to insure against the "rainy day," a loving wife as a companion and a sweet baby girl as an incentive to action—no millionaire can enjoy any act of his life more than we enjoyed that trip from Nebraska to Arkansas.

It had but one drawback—its end! It was far too short and we were sorely tempted when we reached our destination to journey on and on and on, no matter in what direction, no matter where—simply journey on and on as wanderers and pilgrims in search of something we knew we never could attain, an idyllic elysia, a place that exists only in the imagination.

Arriving at the end of our journey, in the little town of Judsonia, in White County, I set up in business as a photographer. There was no great rush of business so I soon hung out my shingle as a real estate agent. A man by the name of Barker was the agent in the town for the lands of the Iron Mountain Railroad Company, and he was doing a good business; I called myself

the Peoples' Land Agent and Barker rather resented the reflection upon himself as a corporation representative. So we had a little feeling against each other from the start.

I knew Barker was taking advantage of his customers, which he did in this way: When he would find one of his purchasers was making good in the way of improvements Barker would go to him and pay him a lot of compliments and then tell him to just go ahead and never mind his payments; what the railroad company wanted was men who would stay on the land and do things for the benefit of themselves, the community and the company.

Usually at the end of three years the settler would have his place well fixed but was without money. Then Barker, representing the railroad company, would swoop down on him for the back payments—you can see the result. For in the meantime the contract of sale had been canceled and the settler was out his time and his improvements, to the great advantage of Barker.

I determined to break up this "industry" and began to gather evidence of actual transactions, with the idea of taking them to the New York Trust Company which held the title to the lands. The secret of my investigations leaked out and

Barker's friends rallied around him and then came to me and asked me to desist as such an exposure would be of great damage to their town and county. I told them the only thing that would tempt me to quit was to find a sale for my business. If this could be assured I would pack up my wagon and move on. Anyhow the memories of our joyous trip of three years before still sweetly lingered with me and I was eager to pack up and be moving, and within a few days, with a finer outfit than before, another child 2 years old, little Estella May, and a good fat bank roll, we turned our horses' heads towards the setting sun, as joyous a quartet of travelers as ever slept under the shining stars or drank from a bubbling brook.

We headed for Wichita, Kansas, which was then the craziest boom city in the United States. As the reader probably knows, this town is situated in the south-central part of Kansas, being the capital of Sedgwick County, one of the finest wheat-producing counties in the entire United States. When we reached Wichita, after a most pleasant journey through Arkansas, Missouri and Kansas, it was early in May, 1886. What I had heard about booms before reaching there were all eclipsed by what I saw after I arrived. The people generally expected, or so they claimed, that

their town would be anyhow a second Chicago, perhaps a second London, and the speculative prices of real estate were based upon that hypothesis.

When I arrived the Wichita people claimed the town had 50,000 people and was growing at the rate of from 1500 to 2000 a month. The census of 1880 had given the place a population of about 7500 people and in 1886, when I reached there, there were probably double that number of permanent residents, most of whom were permanent only because they had to be. By the census of 1890, four years after I arrived there, the population amounted to 23,853. But during the next decade the town suffered so severely from its great boom in the 90s that it only had 24,671.

As to location for an inland city there is no place that can beat Wichita. It lies in the center of as fine an agricultural section as there is in the world, it has a great many railroads touching it, is admirably situated to handle a big jobbing trade for a large section of Kansas and much of the Indian Territory, Oklahoma and northern Texas. And it is in a fair way to become a big city for the boomers have either died, removed or reformed and the ways of the real estaters there situated are now nearly normal. The place had a splendid growth during the decade between 1900 and 1910



Top row; W. H. Harris, Luke Short, W. B. (Bat) Masterson, W. H. Petillon. Bottom row; Charley Bassett, Wyatt Earp, C. M. McNort, Neal Brown.

and at the census in the latter year showed an increase in population of 112.6 per cent, having reached 52,450, being the second city in the state, Kansas City being first with 82,331. The former metropolises of Leavenworth and Topeka had dropped down to about half the population of Wichita.

Of course the moment I got to Wichita the real estate men got after me and my little money, but I did not get excited. I found their game too swift for me and within a fortnight after my arrival I packed up and headed my team for the west, Dodge City being my objective point. On the day I left Wichita it was said a lot on the main business street sold for \$50,000, or one thousand dollars a front foot, about what such a lot ought to be worth at that time in a city of ten times the size of that city.

Perhaps from the day that Dodge City first began to attract attention, along in the middle 70s, up to the time of my visit and a few years later, it was the most famous city in its way on the American continent. Oh, there were lots of "bad" towns in the West. There was Leadville, Cheyenne, Tombstone, and several other places that attracted world-wide attention. But when Dodge City once took the center of the stage the spot light never touched any of the other places; she held it alone, supreme,

undisputed as the great sensational city of the country.

Long before leaving Arkansas I had heard about Dodge City and her wickedness. I had many and many a time heard it was the worst and wickedest city on earth, that a man even to pass through there had to take his life in his hand, and probably would never get through alive. So you may imagine I approached the city with fear and trembling on account of having my wife and my two small girls with me. As for myself, had I been alone, I would not have batted an eye had all of the bad men in Dodge interviewed me. But with a family with me I confess I was somewhat timid.

I knew quite a lot about Dodge before I went there, I learned a lot while there and much more after I left. What I am going to say about the place is authentic, actually true, as any old resident of Dodge will tell you. (Note that I call it simply Dodge, while the real name was Dodge City. "Dodge," or Fort Dodge, was situated about four miles east of Dodge City, on the Arkansas River, where an army post was established during the Indian fighting days of 1863. It usually contained about a regiment of troops.

When the Atchison, Topeka & Santa Fe Railroad was completed as far as the

100th meridian, a townsite was established and laid out by the townsite company composed of the officials of the railroad company. This happened to be 300 miles west from the Missouri River, one hundred and fifty miles south from the Nebraska line, fifty miles north from the Indian Territory line and fifty miles east from the Colorado line.

The townsite was platted in 1872 and at once became a station of great importance, which it held for many years, still holds to a certain extent, for today Dodge is the metropolis of that one-fourth of Kansas. In the early days great trading teams came from as far away as 250 miles to the south-west. All of the trade from over one-half of what was then the Neutral Strip and Indian Territory, some of which is now Oklahoma, all of the Panhandle of Texas, much of Eastern Colorado and all of South-western Kansas then paid tribute to Dodge City, which was usually spoken of; as it still is, as Dodge. In the few years between 1872 and 1880 more buffalo meat and more buffalo hides were shipped from Dodge than from any other half dozen points in the country—actually the shipments were made by trainloads. As to buffalo bones, which went to the great sugar refineries of the East, it was nothing unusual in '79 and '80 to see three of four

hundred carloads of them piled up near Dodge—also shipped by the trainload.

CHAPTER IV

I am not going to trace the history of Dodge, though such a story, though often told, might be very interesting. But I want briefly to give you an idea of the town and its people. It has been said by many that Dodge was the wickedest city in the world. Perhaps you have heard that said very frequently. You have also heard, which follows as a natural sequence, that Dodge had the toughest class of citizens in the world.

I am free to admit that about all of the man-killers of the West congregated at one time or another between 1872 and 1885 in Dodge; but I wish also to state that at the same time, contemporaneous with the residence of these man-killers, Dodge always had a few score of as fine and brave men as ever wore shoeleather, and many as splendid women as any town ever possessed. I am going to run over a few of the names of the men of whom any city might today or any other day well feel proud. Many of these men, most of them, I knew, the others have been vouched for by their old comrades. Look at the list; Bob Wright, (Hon. R. M. Wright, lately deceased. As fine a man as ever lived.) Judge Beverly, part-

ner in Bob's in the great firm of Wright, Beverly & Co.; Herman J. Fringer, for many years postmaster; D. M. Frost, of the Dodge City Globe; Sam Gallagher, druggist; Mike Sutton, a famous attorney; Fred T. Winne, real estate and insurance; Lloyd Shinn, partner of Frost's, later postmaster; Larry Deger, agent of Wells, Fargo & Co.; Dick Evans, banker; Dr. McCarty, physician and druggist; Cox and Boyd, of the Dodge House; Sam Marshall, Insurance broker; Doc Galland, of the Galland Hotel; the Kollars, merchants; George S. Emerson, merchant; Louie McIntyre, merchant; Eddie Coffee, merchant; P. G. Reynolds, mail contractor—and scores of others.

On the other hand there were many famous men there who were engaged in a business that is not looked upon as legitimate, but I will set them down as typical of a certain class of Dodge society; Prairie Dog Dave; Bat Masterson; Bill Harris; Chalk Beeson; Tom Nixon; Bill Tilghman; Mayor "Dog" Kelly; Luke Short; Colonel McClure; Wyatt Earp; Fred Singer; Dave Mather—and a few score others.

In the old days the gamblers ruled Dodge and the gambling dens and dance halls were practically on the street. That is, the monte and other games were carried on to a certain extent in the front of the bar rooms just inside the open doors on the

street, with almost as many lewd women onlookers and players as men. In those days the chief revenue of the city came from a fine of five dollars a week levied upon the women of the underworld, of which class there were from 80 to 150, according to the season of the year. Of these "Dutch Jake" was the "dean," and she was a noted character. First, for her sobriety and her thrift. She never drank but always appeared on the street smoking a long black cigar, dressed in faultless clothing but wearing a huge Mexican sombrero or man's hat on her head. It is said that "Jake" hearing that a Dodge business concern was short of money walked in and called the senior partner aside and told him she had twenty-five thousand dollars lying useless in a Kansas City bank, any part of which the firm could have instantler if they wished it.

Dodge was bad simply in this way—you could find all the trouble you wanted whenever you cared to go looking for it. On the other hand I don't believe there was ever a decent man in Dodge euchred out of a cent, or in any other way mistreated, if he kept away from the places and persons of the sharks whose business it was to fleece suckers and sports. By day and by night a woman could walk the streets without the least fear of molestation. Indeed, if a man

wanted to commit involuntary suicide in Dodge even in her wide-open days, about the surest way would be to make a slighting or insinuating remark about one of the good women of the town as she passed along the street. Twenty gunmen and tin horns would be on such a man in a moment. In all the history of Dodge there never was a respectable woman insulted on the streets. And many, very many, "good" towns can't say as much.

The fellow in the most danger in Dodge was the "smart Aleck" who came there from some town or city where he was noted as the "bad man" of the community. Such chaps usually came dressed in chaps, sombreros and high topped, long heeled boots, with a blue flannel shirt open at the neck and a red, blue or green silk handkerchief tied, or more properly hung loosely around the neck. Then, of course, there was the belt with a hundred or so cartridges and a navy revolver in a holster on each side. Now, these would-be and had-been-at-home toughs, met their first surprise when an officer stepped up and told them to take the belt, ammunition and guns down to the proper place and deposit them until he got ready to depart. For nobody but the officers of the law were allowed to carry weapons of warfare that were in sight. Of course the gamblers and gun-

men of Dodge, as well as many visitors who were wise, carried shooting irons in the hip pocket, under the vest or in the boot leg, which was permissible. But in the latter days no visible arms could be carried on the Dodge streets.

Most of the visitors to Dodge were men from the cattle ranches to the south and southwest, and the means of conveyance was by wagon or on horseback, nine out of ten coming by the latter method. For these visitors to get into the town the bridge over the Arkansas River had to be crossed just in the south edge of town, and when they reached the Dodge end of this bridge their weapons had to be deposited. Woe to the man who disregarded this rule! Before he had fairly reached the main street he was pounced upon by an officer, haled before Judge "Gulliver" Cook, his arms and ammunition taken for safe keeping and a fine imposed, the latter ranging from five to twenty-five dollars, according to the decency or the uncivility of the newcomer. If the visitor desired he could unlimber his artillery (most of the visitors had a Winchester as well as a brace of navies), at the end of the bridge and carry it over his arm up to one of the business houses where he could leave it for safe keeping.

Dodge had made this arrangement in

the early days, but only after having the town "shot up" by the cowboys. Many times a dozen or more, or maybe only two or three—in extreme cases a single individual—would get loaded with bad whisky, mount his horse and go racing up and down the street shooting off guns and yelling like a Comanche. Now, there never was a marshal of Dodge who cared to take human life unnecessarily, so the lone trouble maker was soon headed for the open country or his horse roped and the rider thrown into the calaboose; if there were several of these marauders one or more of them was liable to get a shot from the marshal's navy. These little pleasantries got onto the nerves of the Dodge folk and a summary end was put to such frolics.

But it was these incursions of the cowboys that had much to do with populating "Boot Hill," the cemetery just west of town, where only men killed with their boots on and such others as had no known home—in many cases no name known in Dodge—passed away, usually by violent deaths, were buried. Yes, and unknown women of the underworld. "Boot Hill" held quite a large population, and many, many secrets. On many of the wooden slabs posted at the heads of graves could be noted such names as Ivy, Myrtle, Lily—nothing more. And what visions one could

lure up by conjecturing the homes and mothers left and bereft by these frail women, the only consolation being that perhaps the mothers mourned them simply as dead or wandering, and not as outcasts who had died in their sins.

Aye, many a father and many a mother is today waiting and will be tonight praying for a son or daughter who lies under the weeds in an unknown grave in "Boot Hill," and perhaps in more cases than one these fathers and mothers are still hoping to see their offspring again, even though the years have been long and the sorrows many since last the wandering boy or girl was heard from. It is well that "Boot Hill" can keep inviolate its secrets.

CHAPTER V

I was kept pretty busy in Dodge while there and did a good paying business. Indeed, for so small a place I never saw a better business town. At that time Dodge did not have over 1500 people, perhaps a couple of hundred under that number. But no town that I was ever in had more money per capita in circulation than had Dodge—and this money changed hands mighty often I can tell you.

With my bankroll pretty well fattened up we started our outfit for the west, our objective point being Ulysses, a brand new

town in a brand new country about 80 miles to the southwest. Before giving my reasons for heading in that direction I will take the reader back a few years and try and give a better insight into conditions.

The first great inrush of settlers that ever came into the Dodge territory took place in the spring of 1879, the first arrivals coming in February. As these newcomers arrived they mostly went to the south, down in what was then and is now Meade County—although quite a sprinkling of them went to the north, into Hodgman and Ness counties. Of course all who could get claims along the Arkansas River near Dodge settled there.

But the Crooked Creek section of Meade County, about 30 miles to the south, was the Mecca towards which most of them went. When the first settlers went down there that spring they found but a single house in the county, which contained 1008 miles, being about the size of the state of Rhode Island. Meade was considered to have as good land as any portion of southwest Kansas, and it had. Besides, it was pretty well watered, there being many springs and several creeks throughout its area, though most of the streams went dry in the summer months.

At that time a person could take a quarter section of land under the home-

stead or pre-emp-act, as the entrant desired, and a quarter section under the timber culture act. But there were three times as much land susceptible of entry under the former acts as under the latter, the law providing that only one claim, not exceeding 160 acres, could be taken in each section as a tree claim as these claims were usually spoken of.

The land office was at that time at Larned, but the land district was divided in 1882 and the western portion of it, from the 100th meridian west, had its office located at Garden City, Finney County (formerly Sequoyah County.) I mention these facts to show that when the first great rush of landseekers came into the Dodge territory they were pretty badly hampered by the great distance to the land office from their claims—some of them 75 miles, an average of about 80 miles.

The entire country south-west of Dodge was at that time a vast cattle range, used very largely as the holding grounds where the cattle driven up from Texas to be sold at Dodge or shipped from there, or possibly to be driven on to the Wyoming, Nebraska or Montana ranges, were grazed while the selling or shipping arrangements were being conducted.

At that time—the early spring of 1879—when these first settlers went into the

Crooked Creek section, the entire valley was covered with about as many cattle as could find good grazing. In addition to the cattle and the ponies of the cattlemen, there were many large bands of wild horses ranging in that section, also vast herds of antelope. At any time of the day one could get up on a convenient object fifteen feet from the ground and see, near or far, several hundred antelope, maybe several thousand, and perhaps several hundred wild horses.

But the settlers flowed in like herds of sheep and the wild horses got wilder (and a wild horse is the shyest "critter" in the country.) The herds of antelope split up and scattered also, but they were very plentiful for a couple of years. When the first settlers took up their claims in 1879 they expected the spring rains soon to come along. Those who did not succeed in getting a location near a spring found, as a rule, some water, enough for a short time, in the little draws and buffalo wallows, for there had been some snow in January.

The inrush of settlers continued until well along in June—but no rain came, not a drop.

By the middle of June several of the "leading citizens" thought steps ought to be taken to organize the county, it being inconvenient to have the laws administered

by the Ford County officials, Meade being attached to Ford for judicial purposes, and Dodge, county seat of Ford, was from 30 to 75 miles distant. It took at that time, under the laws of Kansas, 1500 people to organize a county. So a few people took it upon themselves to make a sort of census to see if there were that many people in Meade. This was completed about the 25th of June (1879) and it was found there were about 1800 residents in the county.

Not a drop of rain had yet fallen, the prairies were turning brown, the ground was so parched and dry that it was difficult to plow it to get sod for building the sod houses, not a thing that had been planted was growing. It sure looked pretty blue. On the 28th of June a man by the name of Howard Lowry, packed up his wife and children and what little plunder he had in the way of furniture and household utensils, and headed his team of Texas ponies to the eastward. Only the day before Lowry had been heard to declare that he was one of those who was going to "stick." During the night he changed his mind and was away before noon. A day or two later another family left—within a week the road leading to Dodge (and to "God's country" as the refugees called their old home sections), was lined with the returning homesteaders, pre-emptors and their

families and goods, or such goods as they could get away with. The rest they sold, bartered, gave away or abandoned. Many lumber shacks, perhaps with shingle roofs, were left to be torn and hauled away by those left behind—perhaps the man who appropriated it would himself abandon it as well as his own dwelling place before a week elapsed. So it went on throughout July, August and September—still not a drop of rain.

During the fall months conditions did not change, except that the cavalcade of returning settlers was greatly diminished, the number of actual bona fide residents by the first of January having dwindled to a scant 100. In a few words the history of Meade for 1879 can be written—not a drop of rain. Indeed from late in the fall of 1878 to July 4th, 1880, there was no rainfall worthy the mention in that whole section between the Colorado line and the eastern boundary of Ford County. In 1880 the buffalo grass remained perfectly brown until this downpour in July came. I am stating these facts to show the reader just how rapidly a section can fill up and how rapidly it can “empty out.” About the craziest people I ever saw were landseekers in various parts of the West—but when they took a notion to quit they were just as crazy.



A little scrap in a Cincinnati "drug store."

When south-western Kansas was divided into counties after the formation of the state, the divisions were practically the same as they are today. They remained so up until the famine years of 1878-9-80. Soon after that the legislature cut the territory now comprising the nineteen counties into three counties, calling them Ford, Finney and Hamilton, and of this territory Dodge was the capital city, all being attached to Ford for judicial purposes.

In 1881 there were no incoming settlers worth mentioning, none in 1882, though everybody was sure there would be a rush the latter year. On October first, 1882, the Larned land district was divided and the western office located at Garden City. But at this office less than two dozen entries were made between October 1, 1882 and March 20, 1883. On the latter day, and it was raining very hard, six claims were entered by three people, each taking a homestead and timber claim. The following day there were a few more—in a week the landseekers were pouring in like sheep, within a month the incoming trains from the east practically unloaded at Garden City and there was a line sometimes three or four blocks long of men and women awaiting their turn to get into the land office.

These settlers began to take up the

claims in Meade County, those that had been abandoned. The timber claims and homesteads they had to contest, the pre-emption claims they simply took possession of and then filed their papers. Like a prairie fire reaching from the Arkansas River south to the present Oklahoma line these settlers swept westward—and also north of the river through two tiers of counties—about every claim worth having was filed on as the army moved to the west. Sometimes the land office would not open for a week at a time, sometimes it would be open only an hour a day, sometimes two hours, not having clerks enough to do the business.

Remember now that this section of south-western Kansas was at that time composed of three counties, but these three were made up of what had been nineteen. You must remember this to get an insight of the stakes in sight in the territory comprising these former counties—provided the old lines could be re-established. These “stakes” were the county seats. In 1884 the old county lines had been restored, as well as the old names in most cases, and as the counties filled up with settlers there were at least a dozen county seat fights imminent at the time I write of, and some of them were already on.

CHAPTER VI

In looking over the field to the west and south-west and north-west of Dodge, only in which localities I could get a pre-emption claim, I finally decided to cast my lot with Ulysses and the Grant County people, Grant County being about 25 miles east of the Colorado line, the same distance north of the Neutral Strip now Oklahoma) line, and thus only the distance diagonally across Stanton County from the south-west corner of the state.

So packing up my goods, loading up my family and chattels in my wagons and with a good fat bankroll, I made my way to Ulysses, which was then a little town of three or four hundred people, but a hum-dinger of a little place. In fact Ulysses had a good many things to recommend it. In the first place it was the only county in the country, so far as I can discover whose first building was a newspaper office and that issued a newspaper before there was any other place of business in the county—and less than twenty people in the county. I was also impressed with the character of the men who owned the Ulysses townsite and had platted the town, started a bank, (which is still running), and erected a fine hotel.

I soon found a good claim upon which

I placed a pre-emption filing and began to make a home. This quarter section was situated near the little town of Conductor, about a dozen miles due east of Ulysses. Having secured my claim I erected a comfortable house thereon, my next move was to put up a building for a photograph gallery in Ulysses, the townsites people having given me a lot. Thus I became a resident of Grant County and a business citizen of Ulysses and had cast my lot with the Ulysses people for the county seat as against Surprise, a town which lay four miles to the north-west, on section sixteen, Ulysses being on section 36 of the same township, in the geographical center of the county.

In establishing sites for county seats in those days the quickest and safest and cheapest way was to get title to a piece of school land, all school lands belonging to the state. There were two school sections in each township, sixteen and 36, a township consisting of 36 sections, being six miles square. Several of the counties in south-western Kansas, Grant among them, had sixteen townships, being twenty-four miles square.

These school lands were set aside for the state by the general government when the state was admitted to the Union, as in the case of all the far western states, and

the proceeds derived from their sale were to belong to the state's irreducible school fund, one proviso of the law being that they should not sell for less than three dollars an acre. One could settle, more properly "squat," on a quarter section of this land, make some \$50 worth of improvements, have the improvements appraised, then the land advertised for sale for five consecutive weeks. Then it would be sold by the county treasurer to the highest bidder—but the settler had the prior right to take it at the highest bid; if sold to another the settler was paid for his improvements.

Under that law most of the county seat sites were secured, usually at three dollars and five cents an acre. It was so in the case of Ulysses. Sometimes the townsite managers would take but a quarter section; the Ulysses people took the entire section, paid out on it in full and got the patent.

When the Ulysses promoters first set out to operate in Grant County they sent me one of their number down there with two teams and wagons, three men and a lot of supplies in the way of food, several reels of wire, some fence posts, four tents, a plow, harrow, picks and shovels—all that was needed to make a settlement and begin improvements. These four men went into

the exact center of the section and fenced twenty acres, being five acres on each quarter. Then the land was plowed and planted, the tents put up, and the teams sent back to the railroad for lumber. This arriving the printing office was put up and the printing outfit ordered from Kansas City. By the time the newspaper office was erected the appraisers came along and did their duty—and the “settlers” returned to their homes—which was all strictly legal. When the sale was held the representative of the company bid in his own quarter, the other three bid in theirs, all received receipts and in another hour the county treasurer had been paid and issued his receipt, the three outsiders deeded their land to the company—and the Ulysses Townsite Company was the owner of one real townsite, containing 640 acres.

At that time, as said, there were no people worth mentioning in Grant County. But the wave of settlement and the army of settlers, almost like locusts, was marching along from the east, and mighty soon, within weeks, there was a sort of hotel, a store, a saloon and several shacks in the place—and don't forget the newspaper was being issued every week.

Thus the Ulysses people had secured their land without trouble and had what looked like a “lead pipe cinch” on the

county seat, being in the exact center of the county. But they had only won by a single day, and by a mistake of others. When the four members of the party mentioned went there to take the section and began running the lines, under the directions of C. O. Chapman, of Lakin, Kansas, one of the members of the townsite company, they found a little frame shack standing close to the east line of section 36. But by running the line carefully this shack was found to be on section 31 in the township just to the east by 20 feet. In a closer examination it was found that this shack had been located by amateurs who had mistaken a quarter corner for a section corner, and had not found the township corner at the south-east corner of the section. This was discovered by marks they had made along the section line.

So it was evident that these parties were in the townsite business and had set their eyes on Grant County; but they lacked the services of a surveyor. A few dollars paid to one would have resulted in giving them one of the quarter sections—and a sort of underhold on the county seat. These parties came back with a load of plunder the very day after Mr. Chapman's party had made their location. When they saw the Chapman party's improvements they came over and were soon convinced of

their error. Then they put skids under their shack and moved up to section sixteen in the same township and started Surprise as a rival town and a rival candidate for county seat honors.

These people came from Hutchinson, a town on the Santa Fe, R. R., the county seat of Reno County. For botching matters they were the master hands. First they had bungled and lost the central location. Going up to their town called Surprise they only purchased three of the four quarter sections in the section, but laid their town out in the center of the section. So they did not own the land to the west of their main business street running north and south, nor to the south of the main street running east and west—any old time would do to take that in! But by a device it was brought up for sale, advertised properly and sold—for three dollars and five cents an acre to a member of the Ulysses Townsite Company. They offered the Ulysses people \$16,000 for this quarter within a few weeks after it was acquired.

This mistake was made because the Surprise people, knowing that the sale was to take place in the treasurer's office at Garden City at 10 o'clock of a certain day, thought they would be in ample time by coming on the train that arrived at 10:10. They got in on time all right, but the land

had been sold, the cash paid and the receipt issued during those ten minutes.

That was the main reason that along in the summer of 1886 there was a terrible commotion in the Surprise neighborhood one night, more properly about 2 o'clock one morning. The manager of the Ulysses townsite was soundly sleeping in his bedroom back of his office when the proprietor of the livery stable, who had been aroused by a horse breaking loose in the stable, awakened the manager and said, "There are about a million lights up on the hill towards Surprise." Almost intuitively the manager knew they were moving their town. He had known, as the Surprise people knew, that with that deeded quarter of their townsite the Ulysses people wouldn't from a money standpoint, give a whoop if Surprise did win the county seat—for they would have practically a quarter of it free and clear—while the Surprise people would have but few business lots left. Thus the Ulysses people would bag the most of the profits.

The manager also knew that two miles due west of Ulysses and the same distance south of Surprise there were two quarter sections belonging to a Surprise partisan, or rather he had a homestead filing on one and a timber culture filing on the other. Instantly the manager divined that the

town was being moved to these quarter sections or one of them, where the land would be scripped or what is known as a government townsite established. The quarters could be scripped and title secured then at about \$1500 each—if a government townsite was established there would be no money in it for the townsite people, title passing from the government to the individual settlers on the lots—but by making it a government townsite it would raise Ned with Ulysses.

Within a quarter of an hour the manager was in the saddle and soon was circling around but out of sight of the moving throng. Sure enough they were moving to the claims as supposed and apparently taking both of them. It was a wild sight. Every vehicle that could be secured in their town or from their partisans to the west were on the ground and every building was either moved, being moved or being placed in readiness for removal. The two miles of road between the two places was alight with bonfires, lanterns and any old sort of light—but the town was sure moving.

The Ulysses manager knew his men, knew their lack of knowledge of the land laws and their two-cent policy of never buying advice. They were always looking for free counsel. So he concluded at once that they had purchased the relinquishments to

those claims but more than likely had not placed them on record at the land office. So he put his pony into a gallop, covered the twenty miles to the railroad in record time and before 7 o'clock in the morning he was in Garden City. He went to the chief clerk of the land office and for a consideration got a peep at the records before the office opened. Sure enough—no relinquishment had been filed.

The first papers filed in on the land office that morning were two contests, accompanied by homestead entries, on the two quarters, the contests being brought on the allegation that the relinquishments to said claims had been sold, and the case was set well ahead for hearing and the advertisement of the case ordered. Now it is one thing to allege and another thing to prove—but perhaps the bunglers would come in with the relinquishment and admit they were going to start a government townsite and had bought the settler out for that purpose; and two days later the “legal adviser” of the old Surprise, but now of the Cincinnati people, that being the name of the new town, came sauntering in with the relinquishments and a filing for a government townsite. And sure enough he admitted to the register, who happened to be a stockholder in the Ulysses Townsite

Company, that he had purchased the relinquishments.

Then this "expert" was told that the relinquishments could be filed all right and the entries canceled. But in such case the homestead entries filed by the contestants would be immediately allowed. Then the expert went and hired an attorney—only to be told that he had better tear the relinquishments up and return home—and move back to land they had title to.

CHAPTER VII

Well, I plunged into the county seat fight, became a partisan on the Ulysses side from the jump. My photograph gallery was doing a fairly good business and I was getting along fine, while at home we had a brand new baby girl, to whom we gave the name of Flossie Etta. Her birth occurred on the 16th day of July, 1886.

At this time there were county seat contests going on all around us, while some, notably the one in Meade County, had been amicably settled, but some of those raging were becoming rather fierce, particularly in Wichita and Greeley counties to the north and in the five counties of Stanton, Morton, Stevens, Seward and Haskell, which counties bordered on Grant, Stanton being to the west, Morton cornering on Grant to the south-west, Stevens lying to

the south, Seward to the south-east and Haskell to the east.

So we were only about 25 miles from ten would-be county seats and each with a vicious fight on. But there always must be a census taken of the population, and an appraisement of the property values must be made before there can be a real fight on. The Kansas laws at that time provided that a county might be organized when its population reached 1500 and its taxable property amounted to a half million dollars. When the residents of a county suspected there was a chance to show that many people and that much taxable property to an easily-convinced enumerator, a petition was sent to the governor and he appointed such an official, who had to be a resident of some other county. As a rule this was a plum handed out to some political hack from the eastern part of the state, and some of these fellows were about as crooked as any officials that ever lived.

Coming into the county after his appointment apparently as a stranger the chances were ten to one that he had been interviewed by at least one of the parties in the county seat fight—usually he had been “seen” by representatives from both sides. As a rule the enumerator made his headquarters at one of the aspirant towns, which of itself gave that place an advant-

age. Once getting into the field he began his duties of counting noses and taking an account of improvements. As there were only a few quarter sections of deeded land in any of these counties at that time, and as improvements on undeeded land could not be taken into account, about the only property of a taxable nature to be found was the small stocks of merchandise and the improvements in the town and the livestock owned by the "farmers."

The first duty, as I understand it, and as it always worked out, was for the enumerator to find the 1500 noses—which he always did. I never heard of a case in Kansas, and I have taken up the facts in at least twenty county seat contests—I never heard of a single case where the enumerator was unsuccessful in finding the required 1500 people, the usual number being about 1523. And the half million of property values was about the same. At the time I am writing about a half million dollars would have bought out everything in the way of buildings, merchandise, livestock and everything else of a taxable nature in the six counties in south-western Kansas. I mean a half million dollars in real money.

With the population it was just the same. I had about this time an offer made to me to leave Grant and go into another

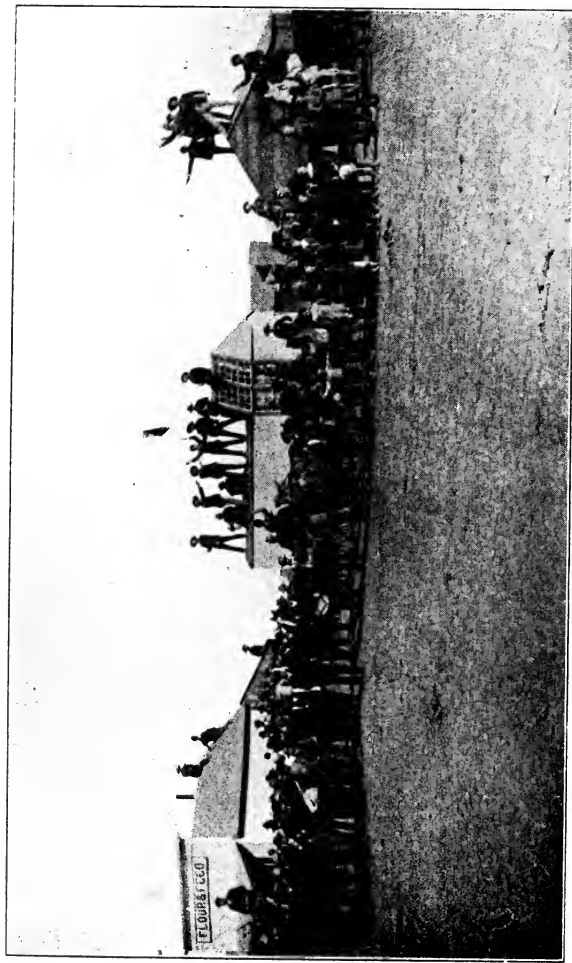
county, in which county an enumerator had just begun his work, while in Grant we had not advanced that far. The contract offered me called for the instant deeding to me of a dozen residence lots and two business lots in the would-be county seat, the erection of a small photograph gallery for me, \$100 in cash the day I moved in and the promise of being appointed county treasurer. I concluded the office proposition was of no value as I did not want a dinky little position of that kind. Anyhow there would be a dozen candidates and more than likely the town company's manager had promised his support to each of the dozen. In fact it was customary, as I very well knew, for the town company to promise some office to every man in the county, no matter whether he could or could not read or write.

On the other hand I was dissatisfied in Grant. The manager of the town company there had failed to come through with the deed to my lots, leaving me in the unenviable condition of having a building, which I had bought and paid for, on lots not belonging legally to me. So the town company could step in and take my building. I did not like to be in such a fix as that. The manager assured me it was all right, that my deeds would be along in "a few days." But these "few days" had elapsed a couple

of dozen times and I was getting sore.

So I concluded I would go and look the other county over and see if there was any sort of a chance for me to better my condition by moving. First I wanted to see if there were people enough in the county to get the organization through. So I spent three days in driving and riding over the county, covering every portion of it and seeing every dwelling place of every sort in it. At that time there were not over ten miles of fencing in the county, just a few quarter sections being enclosed. So the "road" was anywhere you wished to travel, so you did not injure a settler's crops (!) or ride over any of his property. Hence I was able to go from house to house across and up and down throughout the county, which was only 36 miles square.

Then I visited the rival towns and quietly but pretty accurately counted noses and estimated values. After completing my labors and jotting everything down in a note book I went home to foot the figures up. I found there were between 680 and 710 inhabitants—men, women and children, and that for \$100,000 I could depopulate the entire county by buying every bit of property of every settler and business man in it. So I decided to stick to Grant for a while longer and keep hot on the trail of the manager for my deeds. And it was



My arrival in Cincinnati, from Ulysses.

mighty well that I did for had I gone into this other county God knows I might have got mixed up somehow in one of the most atrocious crimes ever committed in a county seat fight, or any other sort of fight, in this country.

There were down in the Neutral Strip, to the south, along the Cimarron River and Beaver Creek, an abundance of wild plums, which were now in good condition for canning and making into pies, jams, etc. As there was no other sort of fruit in that whole section these bitter, almost uneatable plums, were considered quite a luxury, so many little picnic parties were formed to go down and make a holiday of it and bring home a few bushels of plums.

One such party, consisting of seven men and a boy, went down from the county mentioned one fine day. They had picked fruit all the forenoon and had nearly a wagon load of it. Then they had gone to a spring and got a bucket of water and were sitting down in the shade of a haystack, near their teams and wagons, eating their lunch. Then up rode a party of armed men, all citizens of the rival town, and shot down the entire eight like dogs—then rode away leaving the dead bodies to the mercy of the ravens.

However they were not all dead—the little boy had fallen when shot and soon

the man standing practically over him was also shot and fell on the little fellow. When the murderers got off their horses and looked the corpses over they forgot about the boy. The little fellow soon recovered from his superficial wound and had sense enough to wait for night, when he was successful in catching one of the horses and rode home to tell of the dreadful deed—and give the name of every participant.

The seven were all soon arrested by the United States authorities and taken down to the nearest jail in Texas, it being understood that this Neutral Strip was in the judicial territory of the Northern District of Texas. The friends of the murderers were able to secure the services of some of the best attorneys both of Texas and Kansas; the government was also represented by lawyers of ability. Then began a legal battle that lasted for several years and was twice passed upon by the Supreme Court of the United States. Twice the murderers were tried, convicted of murder in the first degree and sentenced to be hanged, but the question of jurisdiction was a vital one and finally they were set free. However, they were broken in fortune, their families were scattered and there was but little left for them to live for.

CHAPTER VIII

About this time something, and something very trivial, happened in my life that gave me a reputation I was not entitled to. In my wanderings I had become a slave to the habit of carrying, wherever permitted, a pair of .45 navies, hanging in holsters attached to a belt. In the belt I also carried a few dozen loaded shells. One day I was going towards Ulysses from my home near Conductor on foot, my horses being busy. Anyhow I knew a neighbor was going in that day and I would catch a ride. Sure enough the neighbor came along and invited me to a seat in his wagon. After we had gone a couple of miles we came to the house of a settler whose wife was trying to catch a chicken she wished to cook for dinner. I remarked that as the fowl was so wild the best way would be to shoot its head off. "But," she replied, "I have no gun." "Well," said I, "I have a reliable .45 here and I think maybe I can hit it if it will stand still." Just then her little boy came chasing the fowl past us, about twenty yards away. It was going pretty fast, but I determined to risk a shot—and I shot its head off as slick as if it had been cut off with a sharp ax.

I made light of the matter, saying that was nothing out of the ordinary and that

if a man could not hit as big an object as a chicken at close range he had better throw his gun away. After the neighbor and I had driven on about a half mile towards Ulysses we came to a place where there was a prairie dog village and near one of the mounds beside a hole sat a mother owl with her four little baby owls near her. "There," said the friend with whom I was riding, "is a pretty good mark; suppose you see if you can shoot the old owl's head off." She was just about 30 yards away, just about the right distance for me, but I tell you I was afraid my reputation acquired by beheading the chicken would be lost if I failed to hit the owl. So I demurred by arguing that it would be too bad to make orphans of the little owls, that it would be pure wantonness as these owls were no damage but a blessing to the country by killing so many gophers and eating so many grasshoppers, the country being overrun with the latter.

But he insisted that I was afraid I couldn't hit her, so I finally gritted my teeth and determined to call him. I just reached down, drew my .45, raised it slowly and as the sight covered the owl I pulled the trigger and shaved the head off slick and clean. When the neighbor began to compliment me and ask questions about my marksmanship I simply said, "Oh, shucks;

what do you suppose a fellow carries a navy for if he can't hit the side of a barn when he wants to? That was no shot for a man who knows anything about shooting."

He went and got the dead owl and threw it into his wagon and we drove on into town. I went to work in my gallery, being pretty busy at the time, and he went into the hotel. But you may rest assured he told a number about my shooting and showed the headless body of the owl. A few days later the woman's husband came in, referring to the chicken shot, and told corroborated the story about my shooting the head off of a chicken running at the rate of about twenty miles an hour—and it soon became noised all over that part of Kansas that "Buffalo Bill" Deveney was the best shot in Kansas.

I rather egged the reputation on, sort of shoved it along, as it were, by quietly, here and there telling this one or that one about some (purely imaginary) occasion when such a county seat scrap was on I had "buffaloed" the fellows opposed to me by plugging six ten cent pieces at twenty paces in six seconds, never taking the gun down, just throwing the hammer with my gun-hand thumb.

Pretty soon emissaries began coming to me from the near-by counties making me offers to join their parties in this or that

contest. Some of these offers sounded pretty tempting, but I knew they wanted me to be on hand if there was any gun fighting to be done; in fact my duties would be to do such killing as I was ordered to do. I never had shed an ounce of human blood since I was a boy when I bloodied now and then a nose in a scrap at school. The only time since when I had drawn blood was by hitting a gambler, who attempted to cheat me in a little game, over the head with my .45. That was no scrap worth mentioning for that was both the beginning and the end of it.

You can rest assured I did not care to risk my life in any county seat scrap, or any other sort of a scrap, for that matter. I had a fine wife, three lovely children, a happy home, was doing a good business—your Uncle Fuller was well enough off without hiring out as a man-killer.

During this time it must be remembered Kansas was a “dry” state, the prohibition law having passed by a tremendous majority in 1880. But the dryness was only in spots—it sure did not reach Ulysses or any of the other towns in the far southwestern part of the state. Even in Dodge there was more liquor sold at the time I was there than ever before. In Garden City the saloon was closed a couple of years or so after the state went dry—there had never

been but the one saloon there. It was kept by George Henkle, who had at one time been the sheriff of Ford County, in which Dodge is situated. He usually sold about six barrels, 36 dozen bottles, of bottle beer a week. At the same time there were two drugstores there then and neither of them sold any liquor to amount to anything, nor did either of them sell beer. After the "clean-up" by the state authorities, after the town was "closed" by law, there sprang up eleven drug stores and the consumption of beer ran up to two carloads, or 50,000 bottles a week. (I understand Kansas is very dry now, the same as Oregon soon will be. I am sure it makes mighty little difference to me personally one way or the other. But I do know that Kansas went through almost a hell in getting down to the dry condition.)

In every little town aspiring to become a county seat, which meant at least two in each county, gambling and drinking was carried on practically day and night, and lewd women were to be found running their houses wide open in little towns of 200 or 300 people. Of course they did not advertise in the town newspapers, but everybody in town knew where these houses were—and the inmates brazenly paraded the streets with their painted and powdered faces by day and by night.

From every quarter came gamblers, card sharps, gun fighters, rowdies, loafers—anything to swell the population. “We must have that fifteen hundred” was the slogan, and devil the bit did the townsite managers seem to care how tough the incoming dweller might be. I am sure nine managers out of ten would have “shed” more smiles over the advent in their town of two card sharps or two lewd women than they would over the incoming of a decent mechanic, merchant or settler. It was numbers and not character they wanted—that they must have.

So you may imagine the orgies going on in the various towns. Take it in Ulysses, where the management was superior to the most of the places. Gun fights were going on more than frequently. By some sort of good luck there was only one killing and that was only in “fun.” A gambler was dancing and making a monkey of himself in a saloon and another gambler, an enemy of his, undertook to shoot the hat off of the dancer. At least that is what he said after the dancer fell dead with a bullet hole through his brain—and he came awful near, within five dollars, of making his statement stick, five dollars being the fine imposed upon him by the justice of the peace for “packing a gun;” and everybody in the court room, even the J. P. himself,

had at least one gun on, most of them two.

I tell you the virus of the fights began to get into my veins as well as into the others. Most of the citizens of the county had nothing to do. Nothing that was planted would grow. Corn placed in the ground in the spring might sprout, might grow up and bear perhaps a nubbin on now and then a stalk. Potatoes if planted would practically rot in the ground. If they did come up most likely some sort of a bug would come along and eat the sprouts off clear down into the ground. Some said the long black beetles followed the vines down and ate what was left of the potato—then hibernated and hatched out a few hundred more beetles.

There were three or four kinds of these beetles and often you would go to bed at night without a sign of one of any variety on your place; in the morning they would be there by the billion. If it wasn't beetles it was grasshoppers, if the grasshoppers missed anything green, along came a hot wind, like a blast from a furnace, and it would shrivel up any vegetation within a couple of hours. I have seen rather decent looking half-grown corn that was almost ready to tassel—a hot wind would come up from towards the gulf of Mexico and within an hour or two the leaves would be only fit for cigarette papers and the stalks two

hours later would make fine kindling wood.

It was a beautiful country to look at and will one day be a prosperous section. Perhaps it is now, for great changes have taken place in Kansas, Nebraska and all of the states on the eastern slope of the Rockies. The rainfall is greater, the hot winds come no more—at least so I have been told, and as a rule fair crops are raised without irrigation nearly as far west as Denver. What I have said about western Kansas applies to that section almost 30 years ago.

CHAPTER IX

About this time there came to me an offer to go up into one of the counties north of the Santa Fe railroad and take an interest in a prospective county seat, the little town having a population of about 300 people. The proprietors owned a half section of land, which was very near the center of the county, there was plenty of water in the town well, there were, so the emissary sent to see me said, at least 1800 people in the county and an enumerator was soon to be appointed by the governor. But best of all the opposing town had mighty poor backing, its promoters being amateurs at the game and without capital.

All of this and much more the man sent to see me told me and I soon found he was

one of the five owners of the townsite and had been sent down to secure my services. The offer made to me was a one-sixth interest in the townsite company—each of the five to chip in a fifth of his stock, \$250 in cash, the use of a building for my photograph gallery, \$50 a week for my services up to the day the governor appointed the officials for the county, four business and six residence lots in the town—I forget what else!

Now I found this man had come after me on account of my record as a gun player, a reputation built pure and simple on the incidents I have mentioned and one little scrap in Dodge where I happened to get into a little game of cards one night, rather about two o'clock one morning, while waiting for a train. The game was but a trifling one, there not being over fifty dollars at stake. I had sat in merely for pastime, the game being vantoomb, or, as usually called—twenty-one. The fellow dealing was a "bad man" as I well knew—and of course I knew the other fellow playing was a "capper" for the house.

Well we were running along about neck and neck when I discovered the dealer rather bungling slip a card on me—quicker than a wink I grabbed my .45 and slammed him over the head with it, appropriated what money was in sight, sorted out the

fifty belonging to me, left the balance on the table and walked out, a .45 in each hand, while the two boobs stood looking at me.

News of scraps like that travel fast and travel far in any country—and gain in every way imaginable as they travel. For instance, it was said in Grant County that I had several notches on my gun and each notch stood for a killing. That I was the best shot in Arkansas while I lived there was conceded—that I had rapped a gambler over the head in Dodge, taken away from him the bank roll, walked out unconcernedly while the six inmates of the place looked on but did not dare to touch me—oh, the reports were running all over southwestern Kansas that “Buffalo Bill” Deveney, that long haired chap, was a bad, bad man from Badville and was the best shot that ever came down the pike. Of course these reports got to my ears and I did not think it necessary to enter any denials. I just let them run and run.

This “fine” record of mine, built entirely upon a couple of lucky shots, had been the means of bringing this offer down from the northern county. They had a nasty scrap on up there and the owners wanted a man to take hold and, if necessary, do what gun work had to be done. That is what was meant when the man sent down said that I would be expected to re-

main in the town and manage the affairs of the town until the county was organized. The other owners all had very important business elsewhere and would be gone some considerable time—until the county seat question was settled I imagined.

I concluded I would go up and look the matter over on the ground. So I told the fellow that if he would pay me for two weeks' work I would go up and make my decision while in the town—but I must have the hundred in advance. He paid it to me and we rode north headed for Lakin, from which town we struck north to our destination. Arriving there I was hailed as a sort of Joshua. I was wine and dined, feasted and fawned upon. I was dressed in my "Buffalo Bill" suit of buckskin, I had a buckskin colored horse that was some saddle horse I can tell you, my spurs were of the Mexican variety and my hat! Why I wore a Spanish Sombrero that cost me \$25, and it had a gold cord and tassel on it worth as much more. I sure cut some ice in the new town.

When I came to look the matter over carefully I found that the offer made me might and might not be based on a sound basis. For instance, I found that the town company could not make a valid deed to the lots for the reason that the land was not

entirely paid for. "Why not paid for?" was the question I asked of myself. I came to the conclusion that they did not have the money.

Before I had had time to study the question thoroughly, in fact the third night after my arrival, while I was sitting in a chair at the "hotel," which was a mere shack with mostly canvas partitions, there was all at once a terrible commotion in the saloon and gambling house next door. I rushed out and before I could get to the door of the place three or four shots rang out and half a dozen or more people came rolling out the door end over end.

I jumped over these as best I could and upon entering the room there stood two fellows, each with an ordinary little revolver, pegging away at each other, each taking a shot just as I entered. I drew my .45s, one in each hand, and before those fellows knew I was there I had "cuffed" each along the side of the head with a gun, had grabbed each by the collar as he fell and taking them to the door I threw them out into the street—then I quietly walked back and took the chair I had vacated three minutes before—and the row was all over.

The following night a "banquet" was given to me, the place being in a new building just being erected for a store. Nearly everybody in town was there as a host, I

was the only guest! I felt a little out of place, but I tried to carry myself as if such things as banquets were an everyday affair to me. I was toasted several times, and and listened to large—and long—chunks of oratory before I deigned to speak. Then I complimented the town and the people and the country, not forgetting to pull a few tailfeathers out of the American eagle in setting forth the claims of Kansas, blessed Kansas! I also reached up into the heavens and plucked a star or two when I came to “my country,” the land of the brave and the home of the free.

Of course I made no mention of the scrap of the evening before—I had done the same all day. Whenever anybody would bring it up I would say, “Oh, those boys were just fooling; it was all a joke—nothing to it, sir, nothing whatever I do assure you, just the boys and I having a little frolic.” Of course the bullets from the “young” revolvers had pierced the boards—in one case the ceiling and in one case the floor—of the saloon, and these were held as precious souvenirs. But I made light of the entire affair.

I had to make a decision pretty quick, so I asked for a week in which to give an answer and returned to my home in Grant. Less than a week I learned that on the third day after I had left the town to the north a

wagon had come into the place in the afternoon, an ordinary farm wagon but with a high box. Some loose hay was seen to be in the wagon box as it was driven down the street slowly, but one man, the driver, in sight. Suddenly this driver pulled a gun and fired five shots rapidly in the air. Instantly he dropped down into the wagon box, at the same time everybody near came rushing from the buildings onto the street—at the right moment eight men, four on each side, arose from under the hay in the wagon, each with a Winchester in his hands, and began shooting at the citizens, meantime the driver from his hiding place guiding the team, now at a dead run, down the street, thence out into the country.

The result of the fusilade, some forty shots having been fired from the wagon and a half dozen from the street—the result was four dead men and two badly wounded. The wagon party were disguised so that not one of them could be recognized and the townspeople were so badly rattled that it was over an hour before a party was organized to pursue them. By that time it was near dark—never was any trace—any legal evidence—discovered as to their personnel.

Less than a week later I received an anonymous letter, postmarked at Garden City, saying “if you had showed your head

on the street at (blank) yesterday afternoon we would have filled your dammed carcas full of lead—you are the s— of a b—— we were after.” Now do you know that letter came mighty near causing me to go back and get into that fight for fair? Well, it did. But not for the reason some of my readers may think. I will tell you; it showed me that the fellows who made that sortie, and would perhaps stoop to lower deeds, were just silly boobs and could be easily outwitted. I was not a bit scared—but I had received an answer to a letter I had written to the bank in Kansas City, at least to the bank through one of its good customers who was a friend of mine, and this letter, signed by the president of the Kansas City bank, said that the townsite company of (blank) was in very deep water and it was not safe to extend them any credit.

If that was the case thus early in the game what chance was there for them to “entertain” the enumerator when appointed, how were they going to pay the other expenses—I had made a study of the matter and had come to the conclusion that I could not make a successful campaign, one bound to win, for less than \$30,000—how could I win for a concern that had no credit and maybe no money worth mentioning?

Aside from that part of the question I had concluded that from almost every standpoint the rival town had the best of the fight. So I came to the conclusion that I would keep out of all such matters until something to my liking turned up. Anyhow I was doing pretty well as it was. My business was fairly prosperous and my expenses were mighty light. Taking it all around I was having a pretty good time and was saving up a little money—which only about half a dozen men in the county could say at that time. But I had no confidence in that entire section for the future—at least I did not see how any man could make a living there in any other business aside from raising livestock, and in that business it would be absurd to think of making any money on less than a section, 640 acres. As there were less than 600 sections in the county, and one quarter in practically every section was a timber claim, I could not figure out a future population of more than a thousand people in the county. I knew no town could prosper on as small a population; and here, all told, were five or six little towns, each selling goods and cutting into the trade.

As for Grant ever being a farming section—or any other portion of the extreme south-western part of Kansas—I had no hope. The rainfall was too little and

there was no water for irrigation purposes. Another drawback was the depth one had to go to get well water. I spent \$450 on a well and then got but an insufficient flow—I could pump it dry in fifteen minutes. My neighbors came for two or three miles from all around me and hauled it away a barrel at a time, as I would allow no one to take more than that at one time. There was a constant line awaiting their turn from daylight in the morning until after dark at night, often making it difficult for me to get what I needed for the use of the house and for watering a few cows and horses.

CHAPTER X

About this time there began some operations in the various counties all over western Kansas that brought about an era of unexpected prosperity—rather of seeming prosperity. That was the advent of the loan companies. Up to that time none of the large mortgage companies of New York or Boston, nor any of the foreign companies, would loan a dollar on an ordinarily improved quarter section of “farm” land in that whole area of about one-eighth of the state. But now a New York Company came in and began to loan \$500 on any ordinary claim that a man or family was making a home on, and advanc-

ing the money, about \$225, to prove up on. So the settler would file his application to make final proof and within about six weeks he and his three witnesses would go to the land office and before the register or receiver show his good faith and continued residence on the tract, and detail the improvements.

Usually a group of five or six would go on the same day and act as witnesses for each other, which lowered the expenses very materially. As soon as the papers were filled out and sworn to and the \$200 paid over to the government the receiver issued his receipt. Then the claimant went before a notary public and signed the mortgage which had been prepared, the receipt and mortgage were placed on file and the agent of the mortgage company handed over the balance due, close to \$300.

Very soon, however, other companies came into the field and before long they began to bid against each other, running the regular price up to about \$750 a quarter section, in many cases to five dollars an acre, \$800 per quarter, and in cases where the improvements were extra good, mostly in the way of permanent fencing, and "a well with water in it" was shown to be on the claim, as much as a thousand could be raised—in some isolated cases \$1200 was paid by the mortgage company.

Not one of these mortgage companies ever received any interest on these loans, let alone principal. Well, that is going pretty strong for now and then a man had the good sense to go into the stock business and maybe had a little money to buy up a few of the equities at from ten to \$50 each, thus getting maybe range enough for a hundred cattle. Such men came through all right. But these were as one in 50. So in place of saying no interest or principal was ever paid I will say that less than two per cent was paid. However, it did not make much difference to the mortgage companies for every last one of them went broke before the game ended. In fact the collapsing of these mortgage companies—four or five of them had their headquarters on Wall Street, in New York—had a good deal to do with bringing about the panic which followed a few years later.

I knew as well as I ever knew anything that no section of country could long prosper in any such way. Money became very plentiful for when these men, many of whom had scarcely had a square meal for a year, got this “easy money” in their pockets they did not know how to make sensible use of it. Some of them packed up at once and left. But not many—they were interested in the county seat fights and had more than likely a few lots in the coming

metropolis—more likely they had, as I had, the promise of these lots. Anyhow they wanted to see the fight out, then sell their lots and light out for “God’s country,” which might be any old place outside of Kansas.

With nearly a quarter of million dollars pouring into Grant in less than a year, and the same amount or more in the adjacent and adjoining counties, things were running at a high pressure. Having seen booms of various kinds before I was not fooled much by the excitement and laid my plans to get from under before the bubble burst. I knew that lots that would sell for maybe \$200 at the time would not sell for four bits after the county seat was located, knew that the time to sell was before, not after, the election. I had seen about the same excitement in railroad booms, where a new railroad was building towards a town—the time to sell town lots was before the first train got within a couple of miles of the place.

So I first mortgaged my claim for every dollar I could get for it, about \$800, then sold my equity for \$25 more. Then I went to the manager of the Ulysses town company and demanded my deeds. Of course I did not get them. It was pretty well understood that no deeds would be given until the county seat election was over with. It

then looked like a cinch that Ulysses would win—but I wanted the deeds so I could sell while there were buyers. But I could not get them peaceably—and I was not going to fight for them.

One day as I was sitting in my gallery reading a newspaper a fellow came in who introduced himself as one of the owners of a townsite and prospective county seat to the west of us. He said that the company had held a meeting the evening before and had sent him over to make me a proposition to move over into their county and take charge of their affairs as manager of the company and as a sort of commander-in-chief of the county seat campaign.

He unfolded the plans of the company, told me all about their holdings and the titles to their property and finally made me a proposition like this; I was to remove my gallery and other moveable lares and penates to their town. When once there I was to take up my duties as manager of the campaign. That I was to be paid a salary in cash of \$50 a month during the campaign and if the election went in their favor I was to receive title to a 40 acre tract of land adjoining the townsite and \$2000 in cash.

It will be noted that the future payments looked good—but how about that \$50 a month? The offer plainly showed

that the company was up against it for ready money and was depending upon sales to be made after the election—and I knew mighty well there would be no such sales. However, I told the emissary that if he would put up \$50 I would go and look the place over and make up my mind within a week and that the \$50 would pay for my services for that length of time.

Well, I went over and first began to get what facts I could about the financial standing of the company. I could get but little satisfaction from any of its members—there were six owners, three of whom lived there. I finally ran across a fellow who had been a clerk in the local bank and he told me that they were practically “busted” and were trying in every way to borrow a thousand dollars to tide them over the election. I knew mighty well they couldn’t afford to pay me anything like what I’d want, so I told them it was no go, I would not accept the position. We were in the company office at the time, the three owners and myself. As we were arguing, after my refusal, I noticed out of the tail of my eye, one of them turn the key in the door lock and then put the key in his pocket. There was an old Winchester rifle hanging on the wall and this fellow sat down on a chair within easy reach of it. Another was within close touch with a

heavy metal seal that stood on a table somewhat behind me—and I was arguing with the other fellow.

Finally this fellow said, "Well, there's no use arguing. You don't want the job and we don't want you; just cough up that fifty dollars and then get to hell out of here." As he gave this defi I could see the others nail their weapons and the spokesman reached inside his shirt for his navy. But they never made connection. Before they knew I was "on" I had all three of them standing in a corner, one of them with a lump on his cranium about the size of a goose egg, caused by a slight jolt from my navy. I then took the Winchester and smashed the lock and bent the barrel, took the navy out of the other fellow's shirt and broke the hammer off—and threw the seal into the fire; then I walked out, telling them I was going over to the hotel for dinner and would be there a couple of hours, that if they wanted me they could find me awaiting them there. But I never saw one of them afterwards.

CHAPTER XI

A few days after this a man came down from Cincinnati and said the people up there wished to see me. So I made arrangements to go up the following day. Meantime I again went to the Ulysses

townsite office and made a final demand for my deeds. I was pretty anxious for I had an offer for one of the business lots. But I was only wasting time, no deeds would be given to any one.

When I went to Cincinnati the following day I did so more out of curiosity than anything else. In riding over I had made up my mind that I would pack up and get out of the country within the next week and let the lots slide. I had done pretty well anyhow and had a nice balance in a Kansas City bank and a few hundred dollars in the Ulysses bank. And as the weather was fine the old wanderlust fever had struck me and we had discussed the matter at home and had decided that we would fix up our road outfit in first-class shape and strike out towards the north-west.

When I got to Cincinnati I was surrounded by the best citizens of the place and we had quite a jollification for a time. Then I was taken into the backroom of a real estate office for a secret meeting with the five leaders of the county seat fight. Now, as said before, I had no faith in the ability of these Cincinnati fellows. They had botched up everything from the day they located their little shanty within less than 30 feet of the section they wanted it on and expected it was on. Thus they had lost the pivotal location—the geographical

center of the county. Next, they had bungled in getting title to section sixteen and had allowed the Ulysses townsite company to get the best quarter of the section—all of this pertaining to Surprise.

Finally they had made the egregious blunder of pocketing the relinquishments of the claims upon which they had removed from Surprise. That was the greatest blunder of all and showed a lack of brains that was past my understanding in people who had the reputation of being good business men. But these people were pretty well fixed and were hanging on, I think, more for the fun of beating Ulysses than with the expectation of making a dollar. Indeed, the only profit for any person in the Cincinnati townsite would be the profit on two lots, one for business and one for a residence site—and these he would have to occupy.

These fellows were game, however, and they put up a fine fight. The business they had with me convinced me that they were dead in earnest, that they were going to carry the fight through to the end—and they had a few thousand dollars in sight—with as much more as they chose to use within easy reach. They were fools as to the land laws but otherwise shrewd business men, men I liked to talk to. I had known none of them more than casually

heretofore but I was greatly impressed with them in every way.

I am not going to give the details of the deal I made with them; but I went home with so much money that my wife thought I had robbed a bank. I soon parted with it by sending it off to swell my Kansas City account. I did not dare ship it from Ulysses, so I sent my wife up to Garden City where such a shipment would not be noticed.

The following day I went to the Ulysses townsite manager and told him I was going to move my gallery and other goods and chattels over to Cincinnati the second morning following, as I had made a deal to stand with them through the county seat fight. He told me I had another think coming as I would not be allowed to haul the building from a lot to which they held title. I retorted that I might not be allowed to do it but I was going to do it just the same. In conclusion I said, "I am going to pack my stuff in that building, put skids under it and get it all ready tomorrow; the next morning at 8 o'clock I am going to hitch my team to it, "all alone by myself," and haul it over to my future home in Cincinnati."

To this he made no retort. I made no threats as to what I would or would not do if interfered with. But I knew mighty

well there would be no trouble. So the next day we abandoned the claim which we had sold and brought our stuff in and put it in the gallery building and my wife, my children and myself spent the next night there.

On the following morning I was up early and noticed a good deal of a stir in town, but I paid no attention to anybody, just kept busy with my moving arrangements. I noticed by looking up the road that quite a large party of Cincinnati people were lined up just outside the Ulysses town limits; but I had told them that under no circumstances must one of them come into the town to assist me in any way.

As the hour of 8 approached the Ulysses people began to gather around my place, but I paid no attention to them. Some of the boys were on horseback and occasionally a party of six to a dozen would go whooping and racing up or down the street, shouting and shooting off their guns. Sometimes such a party would start at top speed towards Cincinnati; but they would stop short inside the Ulysses limits.

At 8 o'clock to the minute I said "gid-dap" to my team and my building slid silently off of its old location and into the street. My wife and children were inside looking out the windows, I was astride the high wheelhorse, as I had six horses in my

team. As we moved on the people began to circle around in front of us, hooting and yelling and firing their guns and the horsemen went rushing up the road as if they intended to charge the Cincinnati contingent. But they stopped short before getting very close; while the Cincinnati fellows quietly stood their ground.

Quietly, slowly, without a spoken word from any member of my family or myself, we moved on and on until we finally came to the town limits. As the nose of the lead horse got to the line the Cincinnati party, now swelled to about 150 mounted men, began to move towards me; but I halted them quickly and ordered them to stand still until my "wagon" was for sure on alien land—and not another movement was made until I was about half way through the line of horsemen. There I halted and yanking out my navy I fired a salute, the forerunner of such a fusilade from the firearms of my friends as I had never heard before in my life.

Almost instantly a dozen American flags were raised, the one I had flying from the peak of the gallery was seized by a man (how he ever got up there I never could tell) and he sat down astride the roof as a color bearer—a drum gave the signal, the band struck up "Lo, the conquering hero comes," my wife, the children and I

were picked up and placed upon a sort of platform borne by four horses—and soon we made our triumphal entry into the “city” of Cincinnati, where we were feasted and fêted as if we were of royal blood.

Then came speechmaking, during which my building was safely placed upon a foundation on one of the best lots in town and soon my wife was busy taking pictures of some of the scenes.

CHAPTER XII

Nothing breeds trouble oftener than idleness and this was proven all throughout Western Kansas at the time I am writing of. There was very little work to do on the claims, “farms” many called them. Nothing that was planted grew. The only work usually of the claim holders was the chores where stock was kept but this stock usually consisted of a pair of pelter ponies, called by courtesy horses. The only occupation pursued steadily was gambling, which was carried on in several places in every town day and night.

The people from the country therefore spent the most of their time in town, where they were joined by the gamblers and other hangers-on who usually followed the gamblers and sporting women. So every town looked busy and prosperous when a stranger drove into the place. The streets were

well lined with people, the merchants seemed to be busy, the cry of the game keepers could be heard from the gambling houses by day and night, and from early evening until daylight the call of the dancing leader and the music from the cracked piano or the notes from the two-dollar "fiddle" made night hideous—and the call after each "set" on the dancing floor—"Gents will escort their 'pardners' to the bar,"—could be heard above the din every few minutes.

But at times these sports became too tame and a lot of the boys, and perhaps some of the other sex, by courtesy called "girls," would mount their own or hired or borrowed ponies and seek excitement in neighboring towns where they would ride swiftly through the streets, yelling like Comanches and shooting off their guns, making all the noise they could. This was called "shooting up the town," and was considered great fun and a great act of bravado or courage.

On one occasion shortly after my removal to Cincinnati a bunch of the boys at the old town of Surprise concluded they would "shoot up" our town. So they went to a hardware store and bought all the cartridges in stock. They were none too sober and were getting a little more muddled all the time from frequent quaffs from their bottles. There were about 30 in the



The Surprise bunch "held up."

party and they started hell bent for Cincinnati. I heard from a distance what was going on and decided to stop it if I could. So I gathered up my camera, mounted a swift horse and met the crowd about half a mile above town. I halted them and told them I wanted them to stop just a moment while I took a picture of the party. After a little parleying I got them to line up and I took as much time as I dared in posing them. It took some time and the devilment spirit was fast dying out.

After taking the negative I invited them to go with me down to the gallery and wait while I developed the negatives, promising each one a picture. They followed me quietly down to the gallery, patiently waited for me until I had the prints ready. I passed along the line and gave each of them a copy, thanked them for what they had done—and they departed peacefully. I thus undoubtedly saved a lot of trouble, perhaps saved more than one from getting hurt—but I had taken a long chance. The wonder is that they ever stopped to parley with me, that they did not anyhow shoot my horse when I halted them. Our newspaper gave me a long notice and called it an act of bravery. It was not bravery—just good, sound judgment.

The time now was sort of between hay and grass, so far as county organization

was concerned. We were awaiting the governor's action in appointing an enumerator. A petition had been sent to him signed by a large number of people asking this and we knew action would soon be taken. At this time there were three towns contesting for the county seat, Ulysses, Cincinnati and Shockeyville. The latter town was off to the west and had no chance, so we did not take them seriously. However there was a chance that the vote might be split up quite evenly between the two principal towns and thus let Shockeyville slip in by getting a large majority of the country votes.

To circumvent this the two townsite companies were giving away lots right and left. Our trouble in Cincinnati was a lack of title. The Ulysses people had a good title all right but they were giving promises and not deeds. Nearly every voter in the county had thus become the owner of from one to a half dozen town lots—in promises. If we could have realized some cash from these promises it would have suited the most of us pretty well. So far as I was personally concerned I did not care a whoop. I was pretty well hooked up financially, had a good balance in a bank in Kansas City and another in Garden City, and was taking in enough to live on and more right along. But you can bet nobody

but my family knew I had any money anywhere to my credit.

Quite soon after I arrived in Cincinnati one of the members of the city council resigned at the request of a number of the leading citizens and I was elected in his place. Then the mayor wanted to resign so that I might become mayor. I would not consent to this. I was willing to act as leader but did not wish to be the legal head of the city affairs. But almost from the first I had to shoulder about all of the responsibility.

For a time things became very quiet, so I thought I would go over into one of the counties to the north and see how they were getting along, thinking perhaps I might pick up a piece of money—anyway I knew by taking my camera along I could more than pay expenses, while my wife could run the gallery at home. I arrived at the town just a few days before the election for county seat and county officials was to come off, as the enumeration had been made and the preliminary officials appointed. I went to the town that had been designated as the temporary county seat.

The morning following my arrival as I sat at the breakfast table in the hotel I heard a distant roar of firearms and knew in a moment that a crowd from the rival town was swooping down on us. Every-

body in our dining room had been disarmed as we entered, that being a rule of the house as expressed on a showcard—"All guests must check their firearms as they enter the dining room." But it did not take us long to get our "guns" and make for the street—as quick as we were we were too late to see just what had happened or how it had happened, but there rushing like mad up and down the street were seven riderless horses and scattered along the street were seven dead bodies.

As I did not have any interest in the matter and did not wish to be detained as a witness and sent to the county seat of the nearest organized county, where the trials would be held, I quietly mounted my horse and rode for home. I had not made any money but I had learned another lesson in the history of county seat fights.

A day or two after my return I was sitting in a law office looking over some papers and occasionally looking out on the street. Just opposite was a saloon and I could see the proprietor and his bartender were taking the shells from their guns. Pretty soon they strapped their guns on and started out. I went down to see what their little game was. They went into a rival thirst emporium and throwing their guns down on the barkeep they ordered him to set out the bottle. They drank

what they wanted and threw the bottle on the floor. Then the operation was repeated and another bottle smashed—and a third and fourth and several more.

After they had taken all they wanted they showed the barkeep that their guns were minus cartridges. "Well," said the barkeep, "when those guns looked me in the face I did not take the trouble to see if they were loaded, I didn't inspect them for bullets; I just came across as ordered." The two then returned to their own saloon. There was a "tender-foot" sitting on a keg in the back of the barroom. He had on a broad-brimmed hat, trying to put on a cowboy appearance, but he lacked the ear marks. The bartender went over to him and took his hat and put it on his own head, he then walked back to the rear and sat down and ordered the proprietor to shoot a few holes in it. The proprietor leveled his gun and pulled the trigger but the shot was too low and went crashing through the bartender's skull, killing him, or rather he died the following morning, having never regained consciousness. I went to the shooter and got his guns and took him in charge until the arrival of the sheriff, just as the man was breathing his last the following morning, and turned him over to the sheriff. The man died, the shooter had a preliminary examination and

was fined five dollars—and the incident was closed!

CHAPTER XIII

Killings, in “fun” and by accident, occurred so often that the governor was petitioned to send a company of militia out from Topeka to disarm us and close the saloons. They came and we surrendered our arms, each giving up any old gun he could find but hiding the good ones. I gave up one worth about fifteen cents, the others did about the same. Finally we were all disarmed and the “soldiers” departed for their homes feeling good over a duty well performed, not saying a word about the open saloons or the gambling houses. Then we got out our real firearms and buckled them on and the militia incident was closed.

About this time a young lawyer from “back east” came to our town, following the advice of Horace Greeley to “go west.” He stopped at the hotel, and the first night he found the vermin called bedbugs pretty fierce. So he came to me with his complaint and I told him he could fix up a bunk on the floor of my gallery. He did so. Just across the street was a large saloon and about midnight the lawyer was awakened by a fire of artillery in the saloon and soon the door burst open and the gang

rushed out onto the street, shooting and yelling and making all the noise they could. Then they crossed the street and went shooting and yelling around the gallery. Some of them fired in under the floor where the lawyer was asleep. That was too much for him so he got up and dressed himself and as soon as the gang left he sneaked out into the night and disappeared forever from "our midst."

I was kept tolerable busy all this time with my photographic work and what professional business there was in the way of relieving the sufferers from corns and bunions—scooping in a few dollars here and there, about the only one in town making and saving any "dough." One day I had a call to go out to a big ranch and take some pictures of buildings and stock. At the ranch they had a case of Dr. Harter's Bitters, which, next to Hostetter's Bitters and Jamaica ginger, was the favorite drink of the "prohibitionists." They were all pretty full when I arrived. I got there too late to do anything the first day. The next morning a fellow arrived who was looking for a claim. He had a boy with him, both were pretty green. We worked at the pictures during the day and when night came the tenderfoot, the boy and myself turned in on the floor, using blankets for our bedding. There was a tame coyote

staked outside. About midnight the cry went up from a lot of the cowboys that the coyote had got loose and was in the house and somebody would be killed. Then the guns began to bark, the boys began to yell and in the darkness the tenderfoot and his boy slipped out and left for parts unknown. Like the lawyer, they found western life too strenuous.

Just to the east of us a fight was going on that was pretty strenuous, there being two pretty good towns and each backed by men of some means. I was sent for to go over and help them out and as election day came I was selected to take charge of one of the polling places. Another man from our town was there and he was given a little money and was stationed near the voting place to purchase votes, with a friend to see if the voters stayed bought, and voted right. I did not get onto the whole game until several men were marched up with a gun close behind them; then I quit the job, went and collected my fees for a day's work and looked on at the alleged election for the balance of the day. For I never allowed myself to do any such crooked work. Of course I took big chances in being "a quitter," but the sooner one quits when he finds the game crooked the better it is for him.

On our way home one of our boys got

pretty hilarious over a few bottles of bit-
ters and went into a chicken coop by the
roadside and stole a rooster. This bird de-
veloped a peculiarity. The new "owner"
would place him on his, the "owner's" head,
and by shaking him up a little he would
crow. When a crowd was met coming
from the rival town we were asked which
town won. The rooster, we told them,
could answer. So he was placed on his
possessor's head and the name of the other
town given, the question asked being "Did
(blank) win the county seat?" The roos-
ter was not shaken so did not crow. Then
he was asked if the other town won and
being shaken up a trifle he answered with
a good loud crow.

When we got back home the next night
there was a big crowd awaiting us for the
news. We were escorted to the big hotel
and I was made custodian of the rooster
and placing me on a billiard table, with the
wonderful rooster on my head. Then the
questions were asked—and at the psycho-
logical shake of my head the old bird let
out a lusty crow—which called for another
round of drinks. And pretty soon the
room was a bedlam with myself about the
only sober man there.

And right here let me say that I never
have been a prohibitionist nor yet a drink-
ing man. I have from the time I was a

young man taken a drink whenever I felt like it and could get it, but never in my life have I taken enough to become fuddled in mind or nerve or muscle. Booze is a bad thing, the booze habit a mighty bad habit. If I had to live my life over again I would cut it out entirely and I would advise all young men to do the same—and old ones too who cannot do as I can, drink or leave it alone. I mean drink in moderation. Many a time I have gone for a year or two without tasting liquor, yet passing saloons every day. Then sometimes maybe a drink once a month. But never, never to excess. Soon the liquor question will be settled and settled right, not alone in this country but the world over. Old John Barleycorn has had his day and the time is close at hand when the whole world will be “dry.” And nobody will rejoice over the fact more than I.

But to get back to the “gang” and the rooster. When I found the boys were getting too hilarious I made an effort to get away. That did not please the boys a little bit. Finally some of them resorted to threats. I never was much of a hand to take threats. So I just threw the rooster aside and pulling my gun I yelled to the crowd, “Deveney is going home, is going home right now; stand aside and make room for him to pass out.” And I went

quietly and peaceably. No resistance whatever was manifested—and I know every mother's son of them respected me for my actions.

Not a quarter of an hour after my departure by some mischance one of my best friends was shot through the calf of the leg, a mere flesh wound. He came over to my place and I took him home and dressed the wound the best I could, there being no surgeon at hand. One did come, however, later that night and dressed the wound again. The next morning I was summoned away and left early, with my friend apparently all right—in three days I came back to find him dying. I sat at his bedside and he told me he had a good mother living back in Missouri and he wanted her notified and his property protected until she could arrive. So he dictated a dispatch and almost with the last words of his life he sent a message to the mother who had not heard from her wandering boy for a dozen years. He was not a bad fellow. Indeed he was one of our best and straightest and most prosperous citizens. But with the wild surroundings he had neglected his mother, thinking, always thinking, that he would wait until he had a fortune and he could go home and be a pride to that dear old mother.

Boys, don't act like that. Why that

dear old mother would have welcomed, doubly welcomed, that son had he returned in rags. I met her when she came to our little town a week after her son's death to take the body home and see that someone was selected to take charge of the property. I tried to comfort her, tried to assure her that Sam had been a good boy, a fine citizen—tried to make her feel proud of her son. So did many others of the townsmen. But her grief was something terrible. She was a fine woman, pure, sweet, lovely and lovable.. As she left on the stage, riding in the same conveyance as casket containing the body of her beloved son, I sat beside her for a few moments and tried to again give her words of comfort. Soon our tears mingled and she sobbed out simply the words, "My son, my son." Those words are ringing in my ears to this day.

Shortly after this trouble arose between two of the leading citizens of Cincinnati, one our postmaster the other the would-be boss of the town, who was the leading merchant of the place. The trouble arose over one of them taking a little too great an interest in the domestic affairs of the other. So the merchant strapped on his guns and started out after the postmaster. I met him and he told me he was going gunning for the p. m. So I told the

latter that he had better look out. He replied that he would be ready in a moment. Pretty quick he stepped out just as the merchant came up and they drew their guns and there seemed to be but one report as both were fired. The postmaster dropped but the merchant was not hurt. We carried the p. m. in and found he had been creased just at the top of his forehead and was senseless. We washed him and sewed up the wound before he regained consciousness. As soon as he was convalescent he wound up his affairs, resigned from his office and left. The life was too strenuous for him.

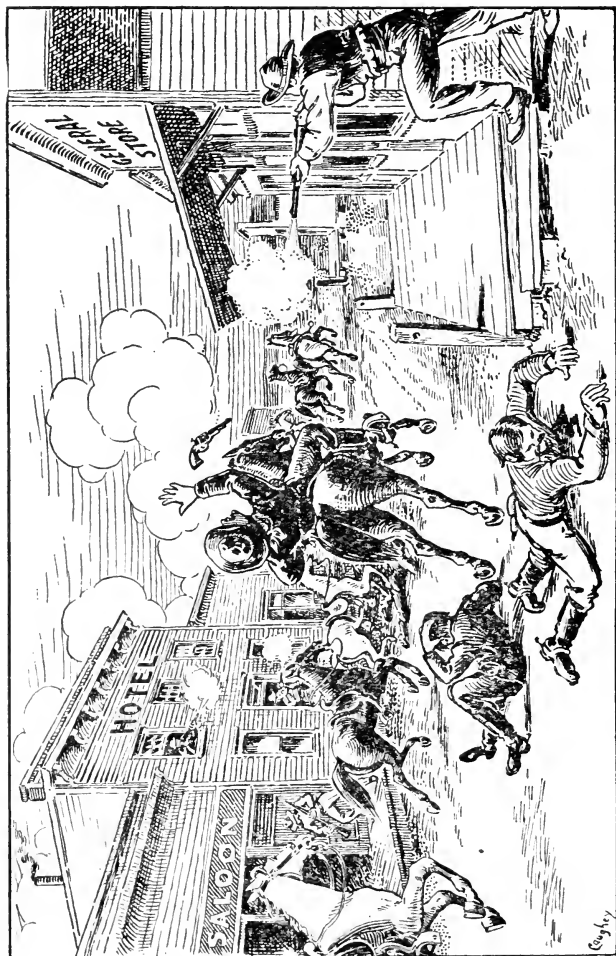
From the day of my arrival in Cincinnati I had been engaged, clandestinely, in trying to have the people get title to the land. I finally succeeded in having the contestants withdraw and dismiss their suits and we made a filing on the land under the government townsite laws. This was a great coup for Cincinnati, and I had accomplished it without spending any money or antagonizing anybody. Of course it cut out the speculators, left no profit only to the holders of lots. But it gave the town a standing in the final county seat contest, placed us on a solid basis and there was a small chance that we might win out on the final election.

The matter of titles soon cropped out

for every lot holder wanted a patent to his particular holding. These matters came before the city council and were adjusted satisfactorily except in three cases. In the meantime our terms expired, the election came on and I refused to run for any office. But when the election came off my name was written on enough ballots to elect me by the highest vote cast. So I accepted and took my seat with the rest of them.

CHAPTER XIV

There came before us at once one of these vexed questions, and one of the contestants was a particular personal friend of mine. I could see that a job had been put up on him and that the other contestant, a doctor, would get the lots, although his claim was absolutely unjust. I told my friend there was a plot against him but he could not believe it. Everybody in town knew where I stood on the question, knew that I was bound to see fair play. But about that time I was taken slightly sick and sent for the doctor—and he doctored me good and plenty. I never knew what he gave me but pretty soon I was helpless. While I was ill our little girl was taken sick—soon the doctor had her in the same helpless condition as I was “enjoying.” The fellow was simply poisoning both of us. One day he came and I openly accus-



The killing in county to the north of Santa Fe Railway.

Cogley

ed him of "doping" me and he could scarcely deny it. He flippantly said, "You must think I am Jesus Christ to cure you so quickly." The tone in which he said it angered me and I tried to get my wife to fetch my gun, for I had just about strength enough left in my arms to use a gun. But he got away and I stopped taking his medicine, as did also my daughter, and in a couple of weeks I was well and attending to business.

I had intimated to some that there was a settlement due between the doctor and myself and that I would bring it off just as soon as I had regained my strength. Hearing of this the doctor withdrew rather suddenly—so suddenly that he left some of his personal property behind which he never came back to claim.

While things were running along rather smoothly in Cincinnati and many of our citizens were felicitating themselves that now, since the settling of the titles to our loss, we were sure to have our town selected as the permanent county seat. The election was coming on apace. The temporary appointees were candidates for re-election and Cincinnati had candidates for nearly all the offices. I was importuned to allow the use of my name for county sheriff, about the best office in the county—even some of the leading men of Ulysses

said they would support me and get me a good vote in their town if I would run. But I refused. I did not want any little county office in a county where the fees would not keep my family in flour, or myself in cigars. So I stubbornly refused.

As to hopes of Cincinnati becoming the county seat—I knew there was no chance of that coming to pass, not a ghost of a chance. It is funny how people will allow themselves to think the impossible will happen. Anybody with a grain of sense in the county could plainly see that we would be beaten two to one. When things were in that condition, about a couple of months before the election was to be held, a committee awaited on me one day and told me there was to be a meeting held about three o'clock the following morning in a back room of one of the citizens who approached me. He gave me the names of those who would be present and they were all friends of mine, so I had no fear of a trap.

I was there at the appointed time and soon found that there were three strangers also present, one of whom I recognized as a thug from Dodge City. These three "gentlemen" had not shown up in town the day before so it was evident they had slipped in during the early morning hours. Sure enough, it soon developed that they got there about two o'clock, while

our meeting was fixed for an hour later.

The windows to the room were covered over with blankets, no light was visible from the outside and we were cautioned to talk in low tones. Then the one acting as chairman spoke up and said a plan had developed among some of them to capture the county seat for sure and that these three men had been selected to carry out the details; that if they did so they were to receive \$1000, which fund each one present was supposed to contribute to the amount of \$100. I was asked to put my name down with the others, but I told them I would not until I knew what the plan was. After endeavoring to get me to sign blindly and failing they hinted that three of the leaders of the other side were to be inveigled to attend a meeting in the back room of the Ulysses bank a night or two later and that while there the three thugs present were to pounce in upon them and knock them senseless, then gag them, then rob the bank and flee, with their prisoners, down into the Neutral Strip, now Oklahoma..

I at once and mighty firmly declined to have anything to do with any such a game. I was mad clear through. I told them it was the craziest scheme I had ever heard of, that there wasn't a chance in a thousand for it to succeed—if it did it

would cut no part in the result of the election, that we were bound to lose anyhow.

Then I attempted to leave but one of the thugs beat me to the door and drawing a knife said he would carve the heart out of me or any other traitor who took my part. I had two guns with me, two 45s and both fully loaded; but they were of no use. I knew mighty well that I must win by bluff and nerve if I expected to get out of there alive.

So I said, in a calm, firm voice, something like this; "You fellows must think I am a dammed fool to run into a trap set for me like this—but I am in no trap, you are the guys that are trapped, you Cincinnatians and these thugs from Dodge, these man killers who never killed anybody but cripples, children and women—and shot or stabbed them in the back. Why, I knew when you bums left Dodge, I can tell the hour you left the railroad to come down here, I know where your rig is hitched this minute. And—and you want to listen to this, listen to it closely; I stand here with my back to the wall, as you see. I am facing every one of you. I have my hand on my gun, but I am not going to use it. But at the sound of the first discharge of a gun in this room a dozen friends, armed to the teeth, will rush to that door and batter it down—and may God have mercy

on your souls for not one of you will get away for the boys are armed with shot guns loaded with buckshot; shall I give the signal?"

There was no answer for a moment. Then I turned loose and called them all of the curs and cowards I could think of. I finally said, "I will make just one concession to you scalawags, and I do that to save a semblance of a name for the town. You ship these bums back to Dodge, ship them at once, right now. Then we citizens of Cincinnati will go to our homes, I will call off my waiting army and tell them it was a false alarm—and then not a word must be said about this meeting to a living soul in the town—not a word; is it a bargain?"

And it was. I was allowed to go and within a half hour I saw, as I watched through a window, the Dodge thugs sneaking out of town. And then I began to get scared. A cold sweat broke out all over me, my legs refused to hold me up and I settled down all in a heap, to remain unconscious until long after daylight.

CHAPTER XV

I can tell you that incident set me to thinking whether the game I was playing was worth the candle that I might gain. I knew that the days of prosperity were

about over for Grant County until the old settlers had left and new ones would come in. And that would take years and years. (It took nearly 30). The mortgage companies were no longer loaning money, practically everybody was broke. I believe I was better fixed than any man in the county except about half a dozen cattle owners.

What sort of a life were we living? Just a dog's life. The town was filled with thugs and gamblers, the saloons were running night and day, shooting scrapes were of daily or nightly occurrence, painted women ogled children and decent women on the streets and made their brags that this and that woman's husband thought more of them than of his wife.

What was the use of living in such society under such conditions? Then again I would say to myself, "Deveney, you must remain until law and order is established, you must remain until this county seat question is settled—then you can go. After talking it over with my wife I decided that it would be best to remain until after the election. But about then the poison that doctor had got into my system began to work on my nerves and I got weak and almost a wreck. But I hung on, getting thinner, weaker and weaker.

Then the election came off and we were

beaten four to one, four to one. No sooner had the polls closed than I went to a few of my best friends and said to them. "Now look here—we are beaten, we are beaten, we are down and out for good and for fair. Ulysses has won, has won honest. Let us bury the hatchet and go over and tell them of it, go over in a body with white flags, flags of surrender, flying and tell them from this day on we are with them for the upbuilding of the county.

And we did. We moreover told them that the best thing that could happen would be for the newly elected officers to rigidly enforce the law against selling liquor, against gambling, against all forms of vice. And within a month the rowdies, both male and female, had all departed, and feeling that my work was done I collapsed, went all to pieces.

Then we got out the old wagon, hitched four good horses to it and I was placed upon a bed inside. For two months, while we were traveling from 20 to 25 miles a day, I lay there, just a living skeleton, some of the time unconscious, some of the time raving.

We wended our way back to our old neighborhood near Hastings, Nebraska. As soon as I got quieted down and got a good physician I began to mend and within

three or four months I had my health fully restored.

Then we again hitched up, loaded the family and a little personal property in the wagon and set out for the Pacific Coast. In the spring of 1893 we arrived in Portland, Oregon, and that will be my home as long as I live—but when the old wanderlust fever comes on I will have to do as I am doing now—take a little journey of a few thousand miles.



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